

HOUSE OF REPRESENTATIVES.

FRIDAY, April 20, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

EXPENSES OF BURIAL OF PENSIONERS, ETC.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Third Auditor of an appropriation for the investigation of claims for reimbursement of expenses incident to the last sickness and burial of deceased pensioners; which was referred to the Committee on Appropriations, and ordered to be printed.

PUBLIC BUILDING AT SPRINGFIELD, MO.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting an estimate of the probable cost of the proposed public building at Springfield, Mo.; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

BRIDGES OVER RIVERS IN ARKANSAS.

The SPEAKER also laid before the House the bill (S. 2179) authorizing the Kansas City, Texarkana and Gulf Railway Company to bridge Red and Little Rivers, in the State of Arkansas; which was read a first and second time.

Mr. McRAE. I would like to have that bill considered now, if there is no objection.

The SPEAKER. The bill will be read, the right to object being reserved.

The Clerk proceeded to read the bill.

Mr. CRISP (interrupting the Clerk). I desire to suggest that this bill is entirely free from objection; it contains all the provisions that the Committee on Commerce place in bills of this character. I ask unanimous consent that the further reading of the bill be dispensed with.

There being no objection, the further reading was dispensed with.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. JOHNSTON, of Indiana, called for the regular order, but subsequently withdrew the call, when, there being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

Mr. McRAE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BAKER, of New York, for three days, on account of important business;

To Mr. RUSK, until the 24th instant, on account of important business.

To Mr. BOWEN, for ten days, on account of important business.

To Mr. JOHN R. BROWN, for ten days, on account of important business.

NAVIGATION OF ILLINOIS RIVER.

The SPEAKER laid before the House the bill (S. 2085) to provide for protecting the navigation of the Illinois River, by extending the system of beacon-lights to said river; which was read a first and second time.

Mr. ANDERSON, of Illinois. I ask unanimous consent for the present consideration of this bill.

The bill was read.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

Mr. ANDERSON, of Illinois, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

EDWARD FITZGERALD.

The SPEAKER also laid before the House the bill (S. 316) for the relief of Edward Fitzgerald; which was read a first and second time, and referred to the Committee on Claims.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that the bill just laid before the House be at once taken up for consideration. I will state that a bill of precisely the same character and identical in language has been favorably reported from the House committee.

The SPEAKER. The bill will be read, subject to objection.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOLMAN. I think the report had better be read.

Mr. ROGERS. I send up and ask to have read the report accompanying the House bill.

The report (by Mr. STONE, of Kentucky) was read, as follows:

This claim is for the value of a large quantity of wood and timber alleged to have been taken by the Federal troops at different times between the years 1863 and 1865 from the land of the Catholic Church near Fort Smith, Ark., and used for the construction of fortifications, building quarters for the soldiers, and for fire-wood.

The claimant is bishop of Little Rock, trustee of the Catholic Church in Arkansas, and as such is trustee of the property, and it is as such trustee that this claim is made.

The claim was presented in due time to the Southern Claims Commission, and under the rules of that commission proof was taken, which has been examined by the committee, who find it clearly established that a large quantity of timber and wood was taken and used by the Army, as claimed.

The Southern Claims Commission rejected this claim without any examination or hearing on the merits, because the commission held that it had no jurisdiction of corporations.

Your committee think that the claimant should be heard.

They therefore report a substitute for the bill, and recommend that it pass.

Mr. KERR. I demand the regular order.

Mr. ROGERS. Will the gentleman allow me to suggest that this only proposes to send this bill to the auditing officers of the Government for the purpose of ascertaining the amount of the claim, and does not propose to make an appropriation? After the matter has been determined and audited by the officers of the Department it is to be reported back to Congress, when it will come up for consideration on its merits. It only asks that this claimant shall have a right to be heard.

Mr. ALLEN, of Michigan. What disposition is proposed to be made of the bill?

Mr. ROGERS. I ask unanimous consent to consider the Senate bill now which proposes to send this claim to the Quartermaster's Department to be audited, after a finding of the facts. It then comes back to Congress for consideration upon its merits.

Mr. ALLEN, of Michigan. I demand the regular order on this class of bills.

SENATE BILL REFERRED.

The SPEAKER also laid before the House the bill (S. 1044) authorizing the Secretary of the Treasury to state and settle the account of James L. Wilbur with the United States, and to pay said Wilbur such sum of money as may be due him thereon; which was read a first and second time, and referred to the Committee on Claims.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. TOWNSHEND. Mr. Speaker, I am directed by the Committee on Military Affairs to report back the bill H. R. 6894, the Military Academy appropriation bill, with the Senate amendments, and to move concurrence in the amendments.

The SPEAKER. The amendments of the Senate will be read.

The amendments were read at length.

Mr. TOWNSHEND. These amendments are merely of a clerical nature; they neither reduce nor increase the amount of the appropriation, and the committee unanimously recommend concurrence in them.

The amendments of the Senate were concurred in.

Mr. TOWNSHEND moved to reconsider the vote by which the amendments of the Senate were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same, namely:

A bill (H. R. 807) for the relief of Horatio R. Maryman;

A bill (H. R. 3253) appropriating the sum of \$52,000 for the enlargement and improvement of the United States Government building at Charleston, W. Va.;

A bill (H. R. 4106) granting a pension to Olive Wallace;

A bill (H. R. 4110) granting a pension to Mehitable Wheelock;

A bill (H. R. 4534) for the relief of Emily G. Mills;

A bill (H. R. 4672) granting an increase of pension to Mrs. Emily M. Wyman;

A bill (H. R. 5118) granting a pension to Theodore Gardner;

A bill (H. R. 5233) granting a pension to William F. Randolph;

A bill (H. R. 6759) granting a pension to Mary Robinson;

A bill (H. R. 6812) granting an increase of pension to Stephen Thurston;

A bill (H. R. 1805) for a public building at Greenville, S. C.; and
A bill (H. R. 19) for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased.

WILLIAM F. SMITH.

Mr. TOWNSHEND, by unanimous consent, from the Committee on Military Affairs, reported back favorably the bill (H. R. 9396) for the relief of General William F. Smith; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. KERR. Mr. Speaker, when I demanded the regular order my objection was simply to the consideration of the bill called up by the gentleman from Arkansas [Mr. ROGERS], because it had an adverse re-

port from the Southern Claims Commission. I did not insist upon the regular order for any other reason.

The SPEAKER. The gentleman from Iowa withdraws his demand for the regular order, but objects to the consideration of the bill called up by the gentleman from Arkansas.

Mr. ROGERS. What is the statement of the gentleman from Iowa?

The SPEAKER. That he withdraws the demand for the regular order, but objects to the consideration of the bill called up by the gentleman from Arkansas.

Mr. ROGERS. I think we had better have the regular order.

INDIAN APPROPRIATION BILL.

The SPEAKER. This being Friday the regular order is the call of committees for reports on bills of a private nature. But before that is done the Chair is advised that the previous question was ordered on the Indian appropriation bill on yesterday afternoon, and under the practice of the House the vote will be first taken upon that.

The first question is on agreeing to the amendment to strike out the ninth section.

Mr. PEEL. Mr. Speaker, it was agreed in the House on yesterday that pending the consideration of this bill in the House, fifteen minutes should be allowed on each side to discuss that amendment. In order that all may understand what the amendment is, and in order that the House may be able to act intelligently upon the question presented, I ask for the reading of so much of the report of the Committee on Indian Affairs, which reported the bill, as I have marked, and which relates exclusively to this branch of the subject. Before that is read I shall be glad to have the amendment stated so that the House may understand it.

The SPEAKER. The question is on the motion to strike out section 9 of the bill providing for the payment of the award by the Court of Claims and the Supreme Court to the Choctaw Nation of Indians.

The Clerk had better read the section again which is proposed to be stricken out.

The section was again read.

Mr. PEEL. I ask for the reading of that part of the report accompanying the bill which I have marked. It explains the whole matter.

The Clerk read as follows:

The eighth section of the bill appropriates \$2,838,798.62, with the interest due thereon, to pay the judgment rendered by the Supreme Court of the United States in favor of the Choctaw Nation of Indians. This large sum draws interest at the rate of 5 per cent. per annum until paid, and therefore increases the liability of the Government more than \$140,000 per annum.

Congress has no power under the Constitution to review or revise the judgment of the Supreme Court of the United States; neither can its decisions be rendered nugatory by the action or non-action of any other department of the Government. To attempt to do so would be revolutionary; to do so would be an end to government. Duty to the Constitution as well as to sound economic principles of public policy requires that the interest on this judgment be stopped by paying the principal. Therefore your committee report the eighth section, providing for its payment.

Mr. PEEL. What is spoken of there as the eighth section is now the ninth section of the bill. I yield one minute to the gentleman from Georgia [Mr. BLOUNT].

Mr. BLOUNT. I simply desire to state, Mr. Speaker, that the section having been ruled by the Chairman of the Committee of the Whole as in order in this bill, and as the object of the section is to pay a judgment, I have felt it my duty to oppose the motion to strike out.

Mr. PEEL. I have no other statement to make, and call for a vote, unless any gentleman desires to make a statement on the other side. I believe no one wants to discuss the question further. Every one understands it.

Mr. HOOKER. Let the question be stated.

The SPEAKER. The Chair has caused to be read the section which it is proposed to strike out. It is that part of the bill which provides for the payment of a judgment to the Choctaw Indians. The question is on striking out the ninth section.

The motion to strike out was not agreed to.

The SPEAKER. The question is on ordering the bill to be engrossed and read a third time.

Mr. PERKINS. I would like to know if the amendment I offered yesterday is correctly reported in the RECORD. If it is, there is an error in it.

The Clerk read the amendment offered by Mr. PERKINS, as follows:

After line 1101, add the following: "For the support of education of Indian pupils of both sexes at day and industrial schools in Alaska, \$20,000. This to be expended under the supervision and control of the Bureau of Education."

Mr. PERKINS. That is correct. As published in the RECORD, the words "in Alaska" are omitted. I did not know but that in drawing the amendment the omission occurred.

The SPEAKER. Is the word "of" correct? Instead of "support of education," should it not be "support and education?"

Mr. PERKINS. That would be better. I ask unanimous consent to have that change made.

There was no objection.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. PEEL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. LANHAM. I move to dispense with the morning hour for the call of committees for reports.

Mr. ROGERS. A moment ago I objected to the consideration of a bill called up by my friend from Nebraska [Mr. DORSEY]. I withdraw my objection that that bill may be considered.

The SPEAKER. The Clerk will read the bill.

The Clerk read the title of the bill, as follows:

A bill (S. 2267) for the relief of the Omaha tribe of Indians in Nebraska, to extend the time of payment to purchasers of land of said Indians, and for other purposes.

Mr. BLOUNT. I object to the consideration of the bill at this time.

The SPEAKER. The gentleman from Texas [Mr. LANHAM] moves to dispense with the call of committees for reports. That requires a two-thirds vote.

The motion was agreed to (two-thirds voting therefor).

Mr. MORRILL. I ask unanimous consent that gentlemen having reports to present, authorized by committees, have leave to file them at the Clerk's desk.

There was no objection.

The reports filed at the Clerk's desk were as follows:

BRIDGE ACROSS OOSTANAULA RIVER, GEORGIA.

Mr. CRISP, from the Committee on Commerce, reported back with amendment the bill (H. R. 9086) to authorize the construction of a bridge across the Coosa River, or bridges across the Oostanaula and Etowah Rivers, at or near Rome, Ga.; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM H. TYNER.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back adversely the bill (H. R. 5115) granting an increase of pension to William H. Tyner; which was laid on the table, and the accompanying report ordered to be printed.

SAMUEL F. C. GARRISON.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 185) granting a pension to Samuel F. C. Garrison; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BERNARD CARLIN.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 2233) granting a pension to Bernard Carlin; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HIRAM BATEMAN.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 3836) granting a pension to Hiram Bateman; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MINOR CHILDREN OF LEVI M. HUNTER.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 6603) to grant a pension to the minor children of Levi M. Hunter, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM IRVING.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1912) granting an increase of pension to William Irving; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SARAH J. TOMPKINS.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1987) granting a pension to Sarah J. Tompkins; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

D. P. HOUGLAND.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2230) granting a pension to D. P. Houglan; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

GEORGE W. DE MOTTE.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2108) granting a pension to George W. De Motte; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOSEPH B. TINGLEY.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1267) granting a pension to Joseph B. Tingley; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOSEPH W. EUBANK.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1018) granting a pension to Joseph W. Eubank; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

THEODORE GARDNER.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1737) granting a pension to Theodore Gardner; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SHELTON FLANINGAM.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1266) granting a pension to Shelton Flaningam; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. HETTIE K. PAINTER.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back the bill (H. R. 3839) granting a pension to Mrs. Hettie K. Painter, with the recommendation that the amendment of the Senate be non-concurred in, and that the request of the Senate for a conference be granted.

The bill, with the accompanying report, was referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed.

WILLIAM M. DAVIS.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1744) granting a pension to William M. Davis; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

J. ROCK WILLIAMSON.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1687) to restore J. Rock Williamson to the pension-roll; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOEL B. MORTON.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 432) for the relief of Joel B. Morton; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

EMILY M'CLURE.

Mr. SAWYER, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 8884) granting a pension to Emily McClure; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARGARET LAHEY.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 9523) for the relief of Margaret Lahey; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ROSANNA K. GRIFFIN.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 4785) granting a pension to Rosanna K. Griffin; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JULIUS C. MONSON.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 808) granting a pension to Julius C. Monson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY J. M'GREGOR.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 2331) grant-

ing a pension to Mary J. McGregor; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SARAH A. WILCOX.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 802) granting an increase of pension to Sarah A. Wilcox, now Roberts; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. MARY HEAP NICHOLSON.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1831) granting a pension to Mrs. Mary Heap Nicholson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JUDSON KNIGHT.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1192) granting a pension to Judson Knight; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

AMANDA W. BEACH.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 2255) granting a pension to Amanda W. Beach; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN R. WHEELLOCK.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1193) granting a pension to John R. Wheelock; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. AURELIA HILLYER.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 2151) granting a pension to Mrs. Aurelia Hillyer; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

RACHEL PLUMMER.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 2183) granting a pension to Rachel Plummer; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY M. BRIGGS.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with an amendment the bill (S. 899) for the relief of Mary M. Briggs; which was referred to the Committee of the Whole House on the Private Calendar, and, with the amendment and accompanying report, ordered to be printed.

ADVERSE REPORTS.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with adverse recommendations bills of the following titles; which were laid on the table, and the accompanying reports ordered to be printed:

- A bill (S. 897) for the relief of Rev. Corydon Millard;
- A bill (S. 2375) granting a pension to Joseph McGuckian;
- A bill (S. 1041) granting a pension to Mary E. Walker, M. D.;
- A bill (S. 822) granting a pension to Sarah Erickson, widow of James S. Erickson, late seaman United States Navy;
- A bill (S. 817) granting a pension to Peter Stusse; and
- A bill (S. 830) granting a pension to David Williams.

GEORGE C. CHASE.

Mr. GALLINGER, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 9119) granting a pension to George C. Chase; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES E. GOTT.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1539) to increase the pension of James E. Gott; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

KEZIAH E. STRONG.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1142)

granting a pension to Keziah E. Strong; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SARAH F. JONES.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 886) granting a pension to Sarah F. Jones; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SARAH ANN NOE.

Mr. FRENCH, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 8763) granting a pension to Sarah Ann Noe; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SARAH ANN WATERS.

Mr. FRENCH also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1258) granting a pension to Sarah Ann Waters; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. ELLEN COURTNEY.

Mr. FRENCH also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1942) granting a pension to Mrs. Ellen Courtney; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ALPHONZO H. MELENDY.

Mr. FRENCH also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1159) granting a pension to Alphonzo H. Melendy; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORT.

Mr. FRENCH also, from the Committee on Invalid Pensions, reported back with an adverse recommendation the bill (S. 1919) granting a pension to John Fox; which was laid on the table, and the accompanying report ordered to be printed.

JAMES W. POAG.

Mr. HUNTER, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 9170) granting a pension to James W. Poag; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARSHALL BURTRAM.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back with an amendment the bill (H. R. 9029) for the relief of Marshall Burtram; which was referred to the Committee of the Whole House on the Private Calendar, and, with the amendment and accompanying report, ordered to be printed.

REFORM SCHOOL FOR GIRLS IN DISTRICT OF COLUMBIA.

Mr. LEE, from the Committee on the District of Columbia, reported back with a favorable recommendation the bill (H. R. 1361) to incorporate the Reform School for Girls of the District of Columbia; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JESSE MARION.

Mr. THOMPSON, of California, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 6383) for the relief of Jesse Marion; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ENOCH G. ADAMS.

Mr. THOMPSON, of Ohio, from the Committee on Invalid Pensions, reported back favorably the bill (S. 692) granting an increase of pension to Enoch G. Adams; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOSEPH WIRTH.

Mr. THOMPSON, of Ohio, also, from the Committee on Invalid Pensions, reported back with amendment the bill (S. 2033) granting a pension to Joseph Wirth; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

EVENING SESSIONS FOR PRIVATE BILLS.

Mr. LANHAM. Mr. Speaker, before making the usual motion to go into Committee of the Whole for the consideration of business upon the Private Calendar, I desire to ask unanimous consent of the House

for the present consideration of a resolution which I will send to the Clerk's desk, the object of which is to set apart three evening sessions for the consideration of bills upon the Private Calendar. The situation is this: There are one hundred and forty-two bills reported from the Committee on Claims upon the Private Calendar. Most of them are in my judgment meritorious and ought to be passed, and I think there are very few of them that will provoke any serious antagonism. As gentlemen of the House well know, heretofore the time set apart for the consideration of private business has been in the main absorbed by the consideration of bills reported from the Committee on War Claims involving reports from the Court of Claims, and unless some arrangement like that contemplated in this resolution can be made, I see no prospect of obtaining consideration of the bills reported from the Committee on Claims. At the evening sessions we are usually able to accomplish much more in the way of the dispatch of business than at the regular Friday sessions. I now send the resolution to the Clerk's desk and ask unanimous consent for its present consideration.

Mr. McMILLIN. Mr. Speaker, I wish to reserve the right to object. The SPEAKER. The gentleman will have a right to object after the resolution is read.

The Clerk read as follows:

Resolved, That on Wednesday, the 25th of April, and on the first and second Wednesdays in May following, the House will take a recess at 5 o'clock p. m. until 7.30 o'clock p. m.; the evening sessions not to hold later than 11 o'clock p. m., and to be devoted exclusively to the consideration of private bills reported from the Committee on Claims, in such order as the said committee may designate.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. McMILLIN. Mr. Speaker, in view of the fact that we are very far behind with the appropriation bills and that we have an important tariff measure under consideration, I must insist that that resolution be referred to the Committee on Rules.

Mr. LANHAM. The appropriation bills will not be considered at evening sessions.

Mr. McMILLIN. There are a number of them that ought to be considered at evening sessions.

Mr. SPRINGER. Is the gentleman from Texas [Mr. LANHAM] willing to say that in case this order which he proposes is made by the House he will be willing to give up the Friday sessions?

Mr. LANHAM. There are other committees than the Committee on Claims interested in the Friday sessions for private business, and, of course, I can not undertake to make any agreement of that sort.

Mr. RICHARDSON. The gentleman ought to include in his resolution business from the Committee on War Claims.

Mr. LANHAM. Mr. Speaker, in view of the objections made, I ask that the resolution be referred to the Committee on Rules.

There was no objection, and it was so ordered.

LEAVE OF ABSENCE.

Mr. KELLEY, by unanimous consent, obtained indefinite leave of absence on account of sickness.

CHANGE OF REFERENCE.

By unanimous consent the Committee on Claims was discharged from the further consideration of the bill (H. R. 7844) to fix the salary and fees of the clerk of the circuit and district courts at Paducah, Ky., and it was referred to the Committee on Expenditures in the Department of Justice.

ORDER OF BUSINESS.

Mr. LANHAM. I move that the House now resolve itself into Committee of the Whole for the consideration of bills on the Private Calendar.

Mr. BLANCHARD. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANCHARD. If the motion of the gentleman from Texas [Mr. LANHAM] is voted down, will it be permissible to go on with the general business of the House?

The SPEAKER. The rule provides that in case the motion to go into Committee of the Whole on Friday for the consideration of private business is not agreed to by the House, public business shall proceed as on other days.

Mr. BLANCHARD. Then would it be permissible for me to move that the House resolve itself into Committee of the Whole on the state of the Union, announcing my purpose to be to move to take up the river and harbor bill?

The SPEAKER. That motion would be in order.

Mr. BLOUNT. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLOUNT. If the House shall decide to go into Committee of the Whole, will not the regular order be to take up the regular appropriation bills in their order on the Calendar?

The SPEAKER. Bills will be taken up in the order in which they stand, general appropriation bills, of course, having the preference.

Mr. FORAN. Mr. Speaker, I give notice that if the motion is made

which the gentleman from Louisiana [Mr. BLANCHARD] indicates, I will move to take up the pension appropriation bill. It can be disposed of in an hour.

Mr. LANHAM. Mr. Speaker, in the midst of this controversy among gentlemen who represent such important bills, I think it would be well for the House to give this day to the consideration of private bills.

The question was taken on the motion of Mr. LANHAM that the House resolve itself into Committee of the Whole on the state of the Union for the consideration of bills on the Private Calendar, and the Speaker declared that the noes seemed to have it.

Mr. LANHAM. I ask for a division.

The House divided; and there were—ayes 66, nays 90.

Mr. LANHAM. The House having refused to give us evening sessions for the consideration of bills reported from the Committee on Claims, I wish to test this question further by asking for a ye-and-nay vote.

On ordering the yeas and nays there were—ayes 34, noes 114.

So (one-fifth of those present having voted in the affirmative) the yeas and nays were ordered.

Mr. LANHAM. Mr. Speaker, inasmuch as there is so large a majority against my motion, I will, if there be no objection, withdraw the demand for the yeas and nays.

Mr. STONE, of Kentucky. I object.

Mr. LONG. Mr. Speaker, is it in order to move to reconsider the vote by which the yeas and nays were ordered?

The SPEAKER. That can be done.

Mr. LONG. I make that motion.

The motion to reconsider was agreed to.

The SPEAKER. Unless the demand for the yeas and nays is renewed, the noes have it; and the motion of the gentleman from Texas [Mr. LANHAM] that the House resolve itself into Committee of the Whole for the consideration of business on the Private Calendar is not agreed to.

Mr. BLANCHARD. I move that the House resolve itself into the Committee of the Whole on the state of the Union, announcing it as my purpose to call up the river and harbor bill.

The motion of Mr. BLANCHARD was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. HATCH in the chair.

PENSION APPROPRIATION BILL.

The CHAIRMAN. The Clerk will report the title of the first bill in order.

The Clerk read as follows:

A bill (H. R. 5445) making appropriations for the payment of invalid and other pensions of the United States, for the fiscal year ending June 30, 1889, and for other purposes.

Mr. FORAN. Mr. Chairman, we are ready to proceed with the consideration of that bill.

Mr. BLANCHARD. How long will this bill probably take?

Mr. FORAN. I think not more than an hour.

Mr. BLANCHARD. In view of that statement I will not object to the consideration of this bill.

The CHAIRMAN. The Clerk will read the bill.

Mr. FORAN. I ask unanimous consent that the first reading of the bill be dispensed with.

There being no objection, it was ordered accordingly.

Mr. FORAN. Mr. Chairman, I can, in a very few moments, make all the explanation I think necessary in regard to this bill. The pension appropriation bill of last year appropriated \$76,276,500, excluding the appropriation of \$6,900,000 which was made for pensions arising out of the Mexican war. The Commissioner of Pensions estimates that of this sum of \$6,900,000, \$4,395,000 will remain unexpended at the end of the fiscal year; so that the amount expended for pensions during this fiscal year will be \$78,772,500.

The present bill appropriates \$80,286,500, being an increase of \$1,514,000 over the appropriations of last year. This increase is made necessary by the increase in the number of pensioners. The net increase during the year 1887 was 40,224 pensioners; and it is fair to presume that the increase during the year 1888 will be equally large. The Commissioner of Pensions estimates that there will be placed upon the pension-roll during the coming year at least 10,000 pensioners of the Mexican war in addition to those of the late war.

In other respects this bill is substantially the same as the bill of last year. It appropriates for invalid pensions on account of the late war \$75,000,000. Some gentlemen may think that the estimate embraced in the Book of Estimates, which simply estimated \$75,000,000 for pensions, was somewhat of a mistake or blunder; but I think the trouble arose from the fact that the officers in the Treasury Department did not seem to understand that the balance of the appropriation for pensions of the Mexican war would revert to the Treasury, or be covered into the Treasury at the end of the fiscal year.

The amount appropriated for clerk-hire last year was \$162,000; the estimate this year was \$198,000; the amount appropriated is \$178,000.

According to the explanation of the Commissioner of Pensions, this large increase is necessary by reason of the large increase in the number of pensioners.

For stationery and other expenses the amount appropriated last year was \$12,000; the estimate for the coming year is \$20,000; the amount appropriated in this bill is \$15,000.

The appropriation for rent remains the same. In the paragraph with respect to rents it is proposed, by amendments made by the committee since the printing of the bill, that the words "where possible," referring to the provision that the Secretary of the Treasury set apart in the public buildings under his control suitable rooms for the pension agencies, be stricken out. It has been reported by the Commissioner of Pensions that the Secretary of the Treasury does not manifest any great desire to provide the pension agencies in the various cities with rooms in the public buildings. Therefore the committee believed it would be wise to strike out these words, thus making it mandatory upon the Secretary of the Treasury to furnish to the pension agencies rooms in the public buildings, thereby doing away with this expenditure of \$20,000 for rent.

The Commissioner of Pensions in his report asked for additional agencies. The committee did not think fit to grant that request, and no provision of that kind appears in the bill.

Now, Mr. Chairman, I know of nothing further which is necessary to be stated in explanation of the bill. How much of my time remains?

The CHAIRMAN. Does the gentleman desire to reserve the residue of his time?

Mr. FORAN. Certainly.

The CHAIRMAN. The gentleman has fifty-two minutes remaining.

Mr. FORAN. I yield forty minutes to the gentleman from Iowa [Mr. HENDERSON].

Mr. HENDERSON, of Iowa. I prefer to take the floor in my own right.

Mr. FORAN. All right; then I reserve my time.

Mr. HENDERSON, of Iowa. Mr. Chairman, I desire to submit a few observations in connection with this bill. One point I think the Administration ought to be informed upon has come to my notice, suggested by the action of this House quite recently; that is, the resolutions and action which took place in regard to the act of March 3, 1881, in reference to

THE PURCHASE OF BONDS.

It will be remembered by the House that this Administration found difficulty in buying bonds and relieving the Treasury of its surplus because the power conferred upon him was found in an appropriation bill. Now I discover in examining the arrears act which passed January 25, 1879, that there was no limitation in that act whatever as to the time when claims should be filed or considered in order to come within its provisions. The only limitation which was ever placed on the arrears act is found in an appropriation bill which passed on March 3, 1879. It was the act which appropriated the money to meet the requirements of arrearages of pensions amounting to \$25,000,000.

Hence we have no law to interfere with the allowance of arrearages of pensions except that which is found in an appropriation bill. And I feel it to be my duty to call the attention of the Administration to this fact, because if he had trouble in buying bonds with the surplus in the Treasury he should have equal difficulty to-day in denying arrearages of pensions. If he could not without expression from the House go into the markets and buy the bonds with the surplus he has no right, this Administration has no right, if it is to be logical and consistent, to withhold arrearages of pensions which are claimed under the act of January 25, 1879. And I appeal to this Administration to be consistent and to come up "like a little man" and allow arrearages of pensions to the boys who filed their claims within the provisions of the act. That certainly should be done, if he is to be consistent, until a declaratory act is passed saying that he may be governed by the provisions of the appropriation bill. The rule that the Administration applied for the benefit of the money-lender should have the same consideration in behalf of the soldiers.

I beg to call attention to another matter. I find that there is a great anxiety on the part of my Democratic brethren not only throughout the country, or I should say in the North, but among our good brethren here in this House, in which they claim to be the special champions of the soldiers. I hate to get into this kind of controversy, but they have forced it upon us. I think my eloquent and great-hearted friend from Michigan [Mr. TARSNEY]—I do not see his heart-warming countenance before me just now—made some generous claims on behalf of the Democracy on this floor. Yes, I see him now, and I feel better.

I call his attention, as well as the attention of the House, to a few facts. The claim is being made that the soldier is getting much better recognition from our Democratic friends than they did from the Republicans, and the fact is referred to that so many more claims are allowed under a Democratic administration. Now, let us look at the facts.

It is proper to be considered in this connection, and I am not going to detract from what is being done by the Democratic administration, so far as they do it; but I do not want these wholesale claims to go to the country without an analysis of them. I want to contrast some of the increases and allowances from year to year on the pension-roll.

Let us look at the annual increases in the issuing of certificates of pensions under the two administrations. Here are several of them:

1866.....	\$126,722	1882.....	\$285,697
1865.....	85,986	1881.....	268,830
	\$40,736	1883.....	303,658
1867.....	153,183	1882.....	285,697
1866.....	126,722		17,961
	26,461	1884.....	322,756
1868.....	169,643	1883.....	303,658
1867.....	153,183		19,008
	16,460	1885.....	345,125
1869.....	187,963	1884.....	322,756
1868.....	169,643		22,369
	18,320	1886.....	365,783
1872.....	232,229	1885.....	345,125
1871.....	207,495		20,658
	24,734	1887.....	406,007
1879.....	242,755	1886.....	365,783
1878.....	223,998		40,224
	18,757		

From 1884 to 1885, the last year under Republican administration, and after the arrearages act went into operation, there was an increase of 22,369, and from 1885 to 1886, the first whole year under a Democratic administration, there were 20,658. The last year, from 1886 to 1887, there were 40,224, which, according to the report of the Commissioner of Pensions, includes 8,455 certificates granted under the Mexican pension act, passed January 29, 1887, leaving 31,769 allowed to other pension claimants. It will be seen that 40,736 was the largest increase in any one year, and that was by the Republicans.

Now, in this connection let me invite the attention of the House to the last report of the Commissioner of Pensions, to be found on page 35. In order to judge of what is being done under this head attention must be given to the claims which have been filed, and this report, on the page I have cited, shows that the claims filed annually, running up until the arrearages act was passed, ran along at 20,000, 26,000, once 43,000, 18,000, 16,000, 18,000, 22,000, and so on until we reached the year 1880, after the passage of the arrearages act.

That year, Mr. Chairman, there were filed 141,000 claims, which were suddenly dumped into the Pension Office for consideration. From that time on a large number of claims were filed. The next year it reached 48,000; then 41,000, 40,000, 49,000; and the last fiscal year, ending June 30, 1887, it reached 72,000, the increase evidently being made in that case by the filing of Mexican pension claims.

Now, what I desire to invite the attention of the House and of the country to specially is the fact that, when you consider the claims filed in the Pension Office in connection with the certificates allowed, the record of the Republican party and its administrations stand unchallenged for faithfulness to the interests of the soldier, and I defy the Democracy to make a comparison unfavorable to the Republicans.

Let me now call your attention to still another fact in this connection. In the Forty-seventh Congress it was found that the arrearages act brought in so many claims that it was necessary to make a new provision for their consideration. What was done to meet that increase? And by whom was it done?

A little army of extra clerks was created for the purpose of strengthening the force of the Pension Office and enabling it to meet the increased demand upon the office. Not only that, but a new system was inaugurated, that of special examiners, to go out through the country and examine the claims filed, so that those reaching away back into the past years could be carefully scrutinized, and so that the Government would not be injured, and at the same time no injustice be done to the soldiers themselves. Now listen: The Forty-sixth Congress commenced by giving an extra force of 141 additional clerks at a cost of \$203,602, to meet the increased labor devolving upon the office. The Forty-seventh Congress, which was a Republican Congress, gave to the Pension Office proper—and all those that I now refer to were given because of the necessities growing out of the arrearages act—as follows:

Increase of clerical force for the fiscal year 1883, on account of the arrearages act.

Forty-seventh Congress.	Number.	Amount.
Pension Office.....	977	\$1,162,520
Surgeon-General's Office.....	166	224,290
Adjutant-General's Office.....	167	200,660
Secretary of War's Office.....	12	15,080
Second Comptroller's Office.....	8	13,600
Second Auditor's Office.....	20	24,000
Third Auditor's Office.....	20	27,400
Total.....	1,370	1,667,550

For the fiscal year 1882 an additional force was given in the Pension Office as follows: 141 persons, at a cost of \$203,602; being in all in that Congress a force of 1,370 extra clerks, at a cost of \$1,667,550.

Now it will be seen, Mr. Chairman, that the Congress of the United States, a Republican Congress, provided, owing to the necessities of the arrearages act, and with generous regard to old soldiers, an army of 1,370 men, costing \$1,677,550, in addition to the regular force. The special examiners' bureau was organized and set at work. The claims were coming in rapidly after 1880, under the influence of the arrearages

act. The special examiners were out in the field. Their proofs were being filed, and their reports were being given to the office and undergoing examination. In 1885, when you gentlemen came into power, you found the fruits of this work almost ripe for your hands, with claims ready to be adjudicated and allowed; and now, when those legitimate and logical results, coming from Republican legislation, are being realized, I submit to the fair-minded judgment of this House and the country whether in justice the claim can be made, which is being made in behalf of my brethren who are now running the Government, that they are doing more for the old soldiers than the Republicans did? All the facts are against you.

These, sir, are a few of the facts to which I desire to call attention, because I want you gentlemen on the Democratic side to take them home with you to your districts and get them straighter in the coming fall campaign than you have in the past.

But there is a third matter to which I wish to call the attention of the House; and I desire particularly the attention of my Democratic friends.

THE MEXICAN PENSION BILL

was enacted and put into operation, and we have the statement here from the Commissioner of Pensions showing that on January 1, 1888, certificates had been issued to 13,412 Mexican pension claimants. He estimated that there would be allowed up to June 30, 1888, 5,000 more, and from June 30, 1888, to June 30, 1889, 10,000 more, and the Commissioner estimates that 23,412 will be the total number of certificates allowed to the Mexican soldiers, and, also, that after June 30, 1889, no new claims will be filed. There has been a wonderful amount of activity in connection with this Mexican pension bill, the benefits of which go mostly to the South. And I want to make this declaration here and now, for the consideration of my friends across the aisle, that so rapid was the Pension Bureau in recognizing this class of claims that pensions were allowed before the claimants even had put in their claims in some cases; and certificates were issued to claimants where they did not know that they were applicants for them. Do you doubt that, my friends?

A VOICE. Yes, sir.

Mr. HENDERSON, of Iowa. Who does?

Mr. TRACEY. Will the gentleman cite a case?

Mr. HENDERSON, of Iowa. Do you want an illustration?

Mr. TRACEY. Yes, sir.

Mr. HENDERSON, of Iowa. I will accommodate the gentleman and give an illustration to my Democratic brother. I like inquiring minds and always enjoy satisfying them when I can.

Mr. Chairman, before I give the illustration I desire to call attention to a provision of the Mexican pension act. I will read from section 3. Before I do so I want to invite the attention of the House to the point I am going to make; that is, that the law requires that claims shall be filed and the proof made before allowances are granted. I will read from section 3:

SEC. 3. That before the name of any person shall be placed on the pension-roll under this act proof shall be made, under such rules and regulations as the Secretary of the Interior may prescribe, of the right of the applicant to a pension; and any person who shall falsely and corruptly take any oath required under this act shall be deemed guilty of perjury.

It will be observed that by the law an application under oath is required before a certificate can be granted. Now I will ask the Clerk, whose voice rivals mine in power and clearness, to read the article I send up, from a Chicago paper.

Mr. WASHINGTON. A Chicago paper! Oh, Lord!

Mr. HENDERSON, of Iowa. You are taking that name in vain. Hear this.

The Clerk read as follows:

COLONEL MORRISON'S PENSION.

Some weeks ago Commissioner of Pensions Black instructed one of his clerks to issue a pension certificate to Hon. William R. Morrison. The clerk looked over the list of applicants and informed General Black that the name of Mr. Morrison did not appear thereon.

"That makes no difference," said the Commissioner. "Mr. Morrison served over sixty days in the Mexican war, and, being over sixty-two years of age, is entitled to a pension of \$8 a month under the act of last January. Make out his certificate."

The clerk did as instructed, and the document entitling the Interstate Commerce Commissioner to draw \$96 per annum was made out in due and approved legal form and transmitted to the beneficiary. Colonel Morrison perused the document, and, quietly folding it up, placed it in an Interstate Commerce envelope of official size and returned it to the Pension Office, accompanied by a terse little note, which stated that he had never applied for a pension and did not desire one, expressing at the same time his thanks for the unsolicited favor. As Colonel Morrison is without means, so to speak, outside of his salary, his action is highly commended by old-time patriots. Ninety-six dollars per year will buy shoes, flavored with a slight modicum of hats.

Mr. BLAND. That, I presume, is the first ever returned.

Mr. HENDERSON, of Iowa. It is not a Democratic fault to return donations of that kind.

Mr. BLAND. I never heard before of one being returned.

Mr. HENDERSON, of Iowa. I never did. I now ask the Clerk to read this communication also, which I send to the desk.

Mr. MACDONALD. I ask the gentleman from Iowa, do you suppose he would have refused it if he had been a Republican?

Mr. HENDERSON, of Iowa. I do not know; but this I do know, that Colonel Morrison never asked for the certificate, and if my friend

was as sensitive about the administration of the Pension Office as he is eager to be smart this morning he would be giving his attention to what I am submitting to the House.

Mr. MACDONALD. Your friend is smart enough to say, I do not believe that newspaper article states what is true.

Mr. HENDERSON, of Iowa. I do believe it; and now I will have read a letter from Colonel Morrison:

WASHINGTON, D. C., October 22, 1887.

DEAR MADAM: The inclosed certificate of \$8 per month pension from September 14, 1887, to me for services as private soldier in the Mexican war, sent by you to my home at Waterloo, Ill., was received here yesterday. I am at a loss to know how it came to be issued. I have never applied for a pension nor taken any of the steps prescribed by law for obtaining one, and do not contemplate doing so under present circumstances. I therefore return the certificate to you.

Respectfully yours,

W. R. MORRISON.

Mrs. MARIAN A. MULLIGAN,
United States Pension Agent, Chicago, Ill.

Mr. MACDONALD. After hearing that read I have nothing more to say.

Mr. HENDERSON, of Iowa. There is a man that comes from the honest West. Now, Mr. Chairman, if there is any gentleman here who denies that, I will be glad to have him speak.

Mr. OUTHWAITE. Will the gentleman yield for a question?

Mr. HENDERSON, of Iowa. Yes, sir.

Mr. OUTHWAITE. You said that pension certificates, using the plural number, were issued. Will you prove another one now?

Mr. HENDERSON, of Iowa. Aha! My friend is anxious for more evidence. Dispose of the one nut you have got to crack before you ask for a bushel of them.

Mr. OUTHWAITE. I am anxious you should be kept to the truth.

Mr. HENDERSON, of Iowa. You are anxious for truth? I want truth to come from your pious Commissioner, who started out in his administration of that office by charging against a faithful and untiring officer and brother soldier, who had left a part of his body on the battlefield, General Dudley, that in the administration of the Pension Office, from turret to foundation-stone, "it was used for political purposes."

Mr. OUTHWAITE. And did he not prove it to the satisfaction of the country?

Mr. HENDERSON, of Iowa. No, sir; never! That same gentleman stands convicted on Democratic authority of violating the terms of the law and unlawfully issuing a certificate to a Democratic chief who was too high and clean to become a party to the transaction. How many more of these have been issued is only known to those who are running this kind of a machine. And I hear no Democrat in this Chamber rising and condemning that sort of thing; but cutting, petty little questions are sought to be interjected.

Gentlemen, if you are against such things rise up and condemn them. This man who entered upon the discharge of his duties with a heaven-erected face is caught in a Democratic trap as one who has got lower down in struggling for political influence than any bureau officer I have ever known. Am I outside the record? If so, fight it out among yourselves, boys. It is a Democratic witness testifying against a Democratic Commissioner, and "the devil take the hindmost." One thing is sure, no one ever heard of a pension being given unasked to any soldier of the late war, and 414,252 remain undisposed of.

I yield the balance of my time to the gentleman from Indiana [Mr. HOVEY].

Mr. HOVEY. Mr. Chairman, the bill under consideration provides for two classes of expenditures:

1. Making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1889.

2. For examining surgeons, pension agents, clerk-hire, fuel, lights, stationery, etc., and rents, \$1,275,500.

I have no hesitation in supporting the first provision, and would vote for it if it had been much greater, but I must confess that I sustain the second class, under our present pension laws, with great reluctance.

If the simple and just rule of permitting a soldier's honorable discharge to be his pension certificate had been adopted, more than \$1,000,000 of useless expenses would have been annually saved, and could have been more justly applied for the relief of our soldiers and sailors.

Mr. Chairman, the petitions of many thousands of ex-soldiers have called upon this House for justice, for relief, and legislation. We have been over four months in session with hundreds of bills referred to the committees, but both the committees and the House seem deaf to the call of the men "who preserved us a nation." I need not ask you, sir, what is the cause of this "masterly inactivity." Every intelligent man on this floor now knows that from those committees and this House legislation in favor of ex-soldiers is not to be expected this session. No bills will be allowed to be discussed before this House that will give our soldiers even the shadow of justice. Over two hundred general bills have been smothered, and not even laid upon the table, until now, like Desdemona, they are dead, dead, dead. Nor can they be resurrected or allowed to be discussed or voted on this session. It will look to intelligent men outside this Chamber that they have been withheld and purposely crowded out. The cunningly-devised rules of this House have been so framed that the voice of the people in the mouths of a minority is suppressed and silent. No difference what the outside

world may feel or think, the majority here can deny them all legislation and discussion.

On the 4th of January last I offered a service-pension bill, No. 1320, granting a pension of \$8 per month for life to every honorably-discharged officer, soldier, or sailor who had served in the Army of the United States not less than sixty days between March 4, 1861, and July 1, 1865. This bill was the same day referred to the Invalid Pensions Committee. On the same day I offered bill No. 1319, granting a bounty of 160 acres of land to every officer, soldier, and sailor engaged in the military or naval services of the United States during the late rebellion of the so-called confederate States. On the 16th of January last I offered a bill, No. 5052, "to equalize the payment and do justice to the officers, soldiers, and sailors of the United States in the late rebellion who were paid in currency commonly called 'greenbacks,'" which was referred to the Committee on Military Affairs.

I had hoped that at least one of these bills might possibly meet with the favor of one of those omnipotent committees, and be reported to this House for fair discussion, so that a vote on the ayes and noes might be taken; but, like many other bills which have been introduced for the relief of the ex-soldiers of the late rebellion, neither of them has been reported; and they, too, have been smothered or filed in the unremembered pigeon-holes of the committee-rooms. Our ex-soldiers and sailors seem to be forgotten. Even the President in his message made no allusion to them, their services, or their sufferings, and his henchmen and partisans are following silently and closely in his footsteps.

The Committee on Invalid Pensions is composed of nine Democrats and six Republicans, the Committee on Public Lands nine Democrats and five Republicans, and the Committee on Military Affairs eight Democrats and six Republicans, so that the Democrats of those committees have the power to report to this House any bill referred to them, or they can crush, by refusing to report, every bill offered in favor of the ex-soldier. The responsibility is theirs; and I assure them they will be well remembered hereafter by the men whose rights they have so unfeelingly ignored.

Now, Mr. Chairman, it seems to me that the committees to whom those important bills have been referred dare not bring one of them before this House for fair discussion and action. The people who do not understand the gag rules of this House are watching with wonder and blaming their Representatives for not forcing a vote on the most important questions of the day.

Let us have a full hearing and a fair vote on the bills I have offered, and the "Boys in Blue" next autumn will bury more Congressmen politically who vote against them than ever fell upon any field of battle. The people do not understand the meshes with which the majority of this House have entangled legislation. Sir, we may talk about the power of the veto, the power of the President, the power of the crowned heads of Europe, but I greatly doubt if either has as much power in directing and molding legislation as the Speaker of this House under the parliamentary rules which have been adopted. He forms and selects the committees at his pleasure, and can so compose and arrange them as to favor or defeat the most important legislation. No member can be heard without his consent, and he can refuse for a whole session to recognize or hear the ablest orators on this floor.

But we are asked, What have the ex-soldiers and sailors done that they now so imperatively demand legislation? The great ship called the "South" had lost her bearings and was drifting without compass or pilot, in storms and tempests, in the midst of rocks and shoals, near the great maelstrom of certain destruction. Her great danger was seen by thousands, who rushed to her rescue. Many perished in their gallant effort to save her, whilst thousands returned from that terrible storm wounded, maimed, and with broken and shattered constitutions. But they saved the old ship from destruction. They brought her safely out to navigable waters and into the open and placid seas of sunshine and prosperity. And now the salvors of that old vessel come into this great court and ask that their services may be recognized by our Government, and for a small salvage that will keep many of the maimed and wounded from the chilling blasts of hunger and adversity. They are not asking alms, nor begging to be placed upon the lists of pensioners for charity; but they demand that all shall be treated alike for their gallant services.

Would it be unjust to demand salvage from the owners of that old ship alone? No one asks it; but all should willingly join in doing justice, and in conferring that honor upon them which their daring, their gallantry, their sufferings, and their sacrifices have so richly deserved.

But now let us drop the metaphor and come down to realities. What would the North be to-day, and what would be the condition of the South had a separation of the States been consummated? Does any reasonable man suppose that the great Mississippi River, with its 20,000 miles of tributary navigable waters, could be severed at Cairo and have peace in our land? Is the history of the settlement of the great West forgotten? Is it forgotten how Spain forbade the commerce of the West from passing down that river to the Gulf of Mexico, and how nearly our country at that early day came to being torn asunder?

Let us cast a retrospective glance at the condition of our country at that time. One hundred years ago the Kingdom of Spain was the owner of the Louisiana territory, embracing New Orleans, the mouth of the Mississippi River, and a vast wilderness now covered by several States,

and containing more than one-fourth of the whole territory of the present limits of the United States. Immigration was rapidly filling the rich lands bordering on the Ohio, the Cumberland, the Tennessee, and the Wabash Rivers, and the first settlers were producing a large surplus annually of beef, corn, and pork, which could only find an outlet and market at New Orleans.

Spain in 1784 had prohibited the navigation of the Mississippi River, and before that date had levied taxes upon the produce sent to New Orleans to the amount of 21 per cent. The people of Tennessee, Kentucky, and the territory northwest of the Ohio River, rose in arms against this unnatural outrage, and demanded free navigation to the Gulf of Mexico, which was refused, and a large amount in value of the cargoes of our flat-boats was seized and confiscated by the Spanish authorities. General George Rogers Clark then raised a small number of armed men, and made reprisals from Spanish subjects, at Vincennes and other localities. At that time war with Spain seemed imminent. Some of the older States sided with Spain, and desired if possible to force the commerce of the West into the Eastern cities. In this condition a separation of the West from the Eastern States was warmly discussed, and many able letters were printed and scattered, threatening secession and the aid of our old enemy, Great Britain, if the East did not join in shaking the Spanish shackles off of our Western commerce.

In 1800 Spain, by a secret treaty made at San Ildefonso, ceded the whole of the Louisiana territory to France. When Jefferson, who was then President, discovered this secret treaty, he became alarmed and was fearful that trouble with France would ensue. He immediately wrote to Livingston, our minister at Paris. "There was," he said, "one spot on the face of the earth so important to the United States that whoever held it was, for that very reason, naturally and forever our enemy; and that spot was New Orleans. The day France took possession of that city the ancient friendship between her and the United States ended. Alliance with Great Britain became necessary, and the sentence that was to keep France below low-water mark became fixed." (Jefferson to Livingston, April 18, 1802.)

Jefferson then caused negotiations to be opened with France for the purchase of a small spot or territory near the mouth of our great river, to be used as a place of outlet and deposit for the increasing surplus commerce of the West. James Monroe was sent as envoy extraordinary and minister plenipotentiary to the courts of Spain and France to aid our ministers, Livingston and Pickering, in negotiating the purchase. After much dallying with the artful Talleyrand, the whole of the Louisiana territory in 1803 was purchased for \$15,000,000 from Napoleon Bonaparte, then First Consul of France. This produced great excitement in the Eastern States, and bitter partisan assaults were made upon Jefferson by the ablest orators and journals of that day.

Among all the great statesmen of the past Jefferson was regarded as the strictest of the strict constructionists of our Constitution. He knew that under that instrument he had no expressed power to make the purchase, but the necessity for the commerce of the West and the peace of our country was so great that he dared to rise above the letter of that sacred instrument which the master minds of the world had made. He relied upon the good sense of the people to ratify the purchase, and it was done, and done to save the secession of the West from the Eastern States. He clearly foresaw that the commerce which floated on more than 20,000 miles of navigable rivers must pass unobstructed and unmolested to the sea.

The wisest and most skillful surgeons in the world could not preserve life in the severed parts of the human body. The attempt to tie the arteries would be useless and ridiculous, and to cut the Mississippi in two parts or divide it between contiguous nations would be just as absurd and ridiculous. Blood would never cease to flow from such a surgical operation. Besides our great inland lakes and rivers that annually transmit billions of dollars' worth of produce through the throat of that great Father of Waters, over 153,000 miles of railroad now, like hoops of steel, bind every part of this great country together. To hinder the navigation of these streams and tear apart the steel ligaments that cover the land like network would be as fatal to our nation as it would be to life to tear the strings, fibers, and arteries from the human heart.

I have often wondered how intelligent men could even dream of dividing the Mississippi River, and how they could think it would be possible to rub the discordant institution of slavery along the rugged, solid, puritanical edges of the Northern States and even hope for peace.

No, Mr. Chairman, the United States can never separate in peace. Separation would inevitably entail continual war. And now, as these great arteries and lines of commerce carry the productions of over sixty-three millions of people to and from the seas, from the North to the South, from the East to the West, let it be forever understood and remembered, let it be shouted from the house-tops, from the lakes to the gulf, and from ocean to ocean, that we must not and can not separate the States of our great and glorious nation. The North could not separate from the South with less injury than the South would suffer by separation from the North.

But let us return from this brief digression to the consideration of the rights of our soldiers and sailors who prevented the suicide of our nation. What can pay them for their sufferings and sacrifices? There are men on this floor who in the late war have stood nearly one hun-

dred days in battle, in the rattle of musketry and the roar of cannon. What amount in money would induce them to pass again under such fiery ordeals? If this magnificent Capitol were solid gold, the poorest veteran would scorn the offer.

We are flippantly told that our pension laws are ample and the most beneficent in the world, and that no ex-soldier has the right to find the least fault with the generosity and paternal care of our Government.

Yes, we have pension laws where the red-tape appendages, employes and machinery alone, not including any pensions, cost our Government over \$1,000,000 annually to dole out a pittance that would starve a dog to thousands of helpless men, widows, and orphans.

Sir, we ought to be ashamed of our niggardly legislation, for our nation is too great for such pitiful parsimony. The one hundred and fifty-one rounds in the Jacob's ladder which leads the veteran to the Pension Department are simply ridiculous.

I have read where the noble Brutus proposed to "coin his heart and drop his blood for drachmas," but it was reserved for our Solons, who framed our pension laws, to measure the value of our veterans' blood by the fraction of one copper cent!

Only think of the blood and wounds of our soldiers being valued at \$2.12½ per month; at \$2.66½ per month; \$1.66½ per month. The fraction of one copper cent by halves and thirds being set apart in fifteen of the one hundred and fifty-one grades to our maimed, broken-down, and wounded soldiers! These wise men must have had Shylock's famous "balance" to weigh their brother's blood, and after they had weighed the blood they must have examined every wound with a strong political microscope before they could figure pensions down to the fraction of one copper cent!

I may say that the Commissioner of Pensions (General Black) was my comrade, as we were at one time in the same army, and I have always regarded him as a gallant soldier and entertained for him great respect. I blame him not in his official capacity, for I believe he has been only acting in obedience to the command of his superiors in office. By his last report, in June, 1887, he shows that there were then on the pension-rolls 1,131 persons who received \$1 per month, 30,823 who received \$2 per month, and 65,946 who received \$4 per month, and on the pension-rolls to-day there are over 100,000 persons who are now receiving 3½ to 13 cents per day! What magnificent generosity from a Government that has been saved and preserved by their valor, their sufferings, and their blood. These are some of the pensions about which we hear such loud and bombastic boastings.

We are tauntingly told that our ex-soldiers should be more than thankful, and that no nation in the world can show such a grand total of pensioners. Admitted, and why? What wars in history can compare with our terrible rebellion? Many of the dark-haired boys of to-day can not realize, like their gray-haired fathers, that our war lasted four years with an army of 2,300,000 men in the field. They have never learned that in that war more battles were fought and more men slain and wounded than in any war recorded in the pages of reliable history. These verdant orators and scribblers only need a little more loyalty to the Stars and Stripes and a little more humanity to bring them to their senses.

Again, it is dogmatically alleged that our Government is not able to pay the large sums of money that a service pension, either per diem or \$8 a month, would require. There are about 1,000,000 surviving soldiers, and no doubt the amount would seem large to the great mass of our people, when compared with the ordinary transactions of private life, but it is by no means alarming when we consider the vast resources and income of our Government.

Our income now exceeds \$402,000,000 per annum, or more than \$1,100,000 for every day in the year. For the purpose of more fully understanding the resources and ability of our Government to pay large sums of money I will refer to our expenditures during the war period, from 1861 to 1865, both inclusive:

1861.....	\$85,387,313.05
1862.....	565,667,563.74
1863.....	899,815,911.25
1864.....	1,295,541,114.86
1865.....	1,906,433,331.37
Total.....	4,752,845,234.27

Being not far from one billion or one thousand millions a year. Of the foregoing amount the War and the Navy were as follows:

	War.	Navy.
1861.....	\$23,601,530.67	\$12,387,156.52
1862.....	389,173,562.29	42,640,353.09
1863.....	603,314,411.82	63,261,235.31
1864.....	690,391,048.66	85,704,963.74
1865.....	1,030,690,400.06	122,617,434.07
Total.....	2,736,570,953.50	326,611,142.73

RECAPITULATION.

War.....	\$2,736,570,953.50
Navy.....	326,611,142.73
Total.....	3,063,182,096.23

Our daily expenditures, including 1861 and 1865, for 1,825 days, amounted to \$2,604,298.75.

At the close of the war, in September, 1865, our national debt amounted to nearly \$3,000,000,000 or more accurately speaking, \$2,757,689,751, and we are now informed by the Secretary of the Treasury that that vast sum has been reduced within twenty-three years, and he now reports: "Debt less cash in the Treasury April 1, 1888, \$1,190,868,155.14." We are further informed that there is now "total cash by Treasury statement, \$678,293,954.53" in the Treasury of the United States. In other words, over \$678,000,000 now lying in the vaults of the Treasury Department of the United States. Sir, I am one who can not clearly understand that "a national debt is a national blessing," but I am fully convinced that an overflowing surplus in our Treasury is a national curse. It begets wanton extravagance, corruption, and frauds, and stagnates the very life-blood of commerce. It is the stimulating cause of the wildest kind of legislation. All kinds of bills are presented to this House. One wants the rivers in his district straightened and deepened; another wants the mud dredged out of the shallow bays in the lakes or ocean bordering on the lands of his constituency. Others would levy or embark the Mississippi River 50 feet high from Cairo to the Gulf of Mexico. Others would swell the ocean with iron and steel clad ships of war, and some would pay large subsidies to merchant vessels to carry and peddle our wares and merchandise among the nations of the earth, and then again there are others who would cut great ship-canals to connect the Lakes, the Mississippi and the St. Lawrence Rivers, from the Gulf of Mexico to the Atlantic Ocean.

There are other claims that should be preferred to any of these schemes, however wise or visionary they may be, and in my opinion our ex-soldiers and sailors' rights rise far above them all. Sir, if we had to even duplicate our national debt, the soldiers, like the bondholders, should be fully paid, and they should, for the short remnant of their shattered lives, be placed far above the confines of the poor-house. We were told in the other end of this Capitol a few days ago that there are now in the poor-houses of this country and receiving charity more than twenty-eight thousand of our ex-soldiers. A full Army corps! Within ten short years the most of all that gallant host who marched to victory will have passed away and our great and prosperous nation "will know them no more forever." Even the names of all our officers except a few may straggle a little way down the narrow and barren lane of history, but the great mass, like the dreams of bygone years, will be no longer remembered.

There is another view which I wish to present. What do we honestly owe the ex-soldier? Not in gratitude alone, for payments in that coin are very uncertain in quantity and in quality; but what does our nation honestly owe him on the basis of man dealing with his fellow-man?

The promises that were held out to our volunteers will not be denied or forgotten. As an inducement to join the Army promises were made by the press, by proclamations, by the orators of the day, and the people, pledging them all that their fathers had enjoyed before them. When they returned home they were to have land-warrants of 160 acres. Every volunteer was to be pensioned for life, like his Revolutionary fathers and the soldiers of the war of 1812, and he was assured from the country cross-road bar-room to the sacred pulpit that if he fell in battle his family should become the wards of the nation and that no soldier's wife or child should suffer. All this and more was promised.

To assure him of his pay, in September, 1861, General Scott, then Commander-in-Chief of the Army of the United States, addressed his soldiers by his famous Order No. 16:

General Order No. 16.

HEADQUARTERS OF THE ARMY,
Washington, September 3, 1861.

The General-in-Chief is happy to announce that the Treasury Department, to meet the payment of the troops, is about to supply, besides coin as heretofore, Treasury notes, in fives, tens, and twenties, as good as gold, to all banks and Government offices throughout the United States, and most convenient for transmission by mail from officers and men to their families at home. Good husbands, fathers, sons, and brothers, serving under the Stars and Stripes, will thus soon have a ready and safe means of relieving an immense amount of suffering which could not be relieved in coin. In making up such packages every officer may be relied upon, no doubt, for such assistance as may be needed by his men.

By command of Lieutenant-General Scott.

E. D. TOWNSEND,
Assistant Adjutant-General.

Non-combatants may have forgotten all these promises and inducements, but the soldier and the soldier's widow and orphans have not. I need not stop to ask honest men how these promises have been fulfilled. No land-warrant of 160 acres for the soldier, no pension like his father's, and instead of General Scott's paper that was to be as "good as gold," he was paid in depreciated "greenbacks," which were not worth on an average 60 cents to the dollar. This he was compelled to accept or receive nothing. He could not leave the Army and return home, for desertion in time of war meant dishonor and death. After he was mustered into the service he was compelled to serve or die, payment or no payment, although his depreciated greenbacks would not buy the bread for his wife at home or clothe his cold and ill-clad chil-

dren. What a great change has taken place as to the rights of our soldiers!

For one day in battle or fourteen days' service in the Army our soldiers, by acts of Congress passed before 1861, were each allowed a land warrant for 160 acres; but the soldier now of four years' service and a hundred days in battle, by the grace of this House, remains landless. And why? Not for the lack of public domain, for it is well known, as it was sung at the meetings to rally our volunteers, that "Uncle Sam is rich enough to give us all a farm."

The unsold public domain to-day is larger in area than the thirteen original States, and amounts to more than 1,000,000,000 acres. Do not excuse yourselves by saying that the lands are worthless. If they are the Government will lose nothing, and the soldiers will fully understand your motives if you give or refuse their just demands. The patent to them alone will be a patent of nobility, whether it is spread upon a prairie of flowers or a barren mountain peak, for it will be an acknowledgment to them and their children of loyalty and honorable service; and if they can not find lands that suit them they can frame their warrants and hang them in their houses as heirlooms for their posterity. They will be highly prized at no distant day and pointed to with pride. Do not deceive yourselves, Representatives, nor imagine that your motives are not fully understood. Do not let greed, politics, and a "solid South" make you forget the promises that have been made to our ex-soldiers. Remember the money or greenbacks you paid them is not the money with which you paid the bondholders. Do not forget the rewards paid their fathers for one day in battle or fourteen days' service in the Army.

Can our now proud and prosperous nation trample on her soldiers and sailors of the late rebellion and forget or refuse the fulfillment of these pledges and promises? Can our omnipotent committees close the doors of legislation and refuse to report their bills for justice and relief, or by delay until this late hour cut off all argument and debate?

We are constantly referred to Europe for comparisons of our pension and military departments. We are told that ours is far more expensive than theirs. That depends upon the manner in which the estimates are made. The standing armies of Europe in times of peace are now larger than they have ever been before. By the Encyclopædia Britannica (and you know encyclopedias have lately become very useful and of high authority) the standing armies in Europe in times of peace are estimated as follows: Great Britain, 190,000 officers and men; France, 450,000 officers and men; German Empire, 400,000 officers and men; Russia, 750,000 officers and men; Austria and Hungary, 275,000 officers and men; Italy, 200,000 officers and men. But we know that since the publication of that encyclopedia the standing armies of France, Germany, and Russia all exceed more than 700,000 men each on what they call their standing armies in times of peace. Now, basing the costs of those armies on the value of human labor and the necessary appliances and munitions for their use and establishment, and estimating such labor at \$1 per day, such standing armies would cost annually more than the income of our Government. I admit that no such figures are found in their estimates and accounts; but when we compare them with our expenditures we forget the relative cost of labor and the munitions of war in Europe and in this country. We know such armies here, valuing the services of the soldiers and all necessary expenses, would far exceed our revenue.

But we are relieved of all these heavy European burdens by a wise provision of our Constitution. By the eighth section, Article I, Congress is shorn of the power to make provision or appropriations for such an army. Our standing army is composed of our citizen soldiers, and may be found in the fields of agriculture, in our manufactories, in our mines, in the shops of our mechanics, embracing all our laborers, merchants, business, and professional men. They cost our Government nothing as soldiers in times of peace, and are only paid when called into active service. We thus avoid the vast expenditures which are borne by the governments of Europe. Can we not be more than liberal to the men who voluntarily leave their homes to serve their country under such a system? Col. E. H. Ropes, in the American Magazine, has so vividly and truthfully given us a picture of such service that I quote from his article:

OUR DEBT OF HONOR.

People have forgotten the nature of the service asked of and obtained from their soldiers. Let the reader think a moment what sacrifices would be involved if he, now reading this magazine comfortably by his winter fireside, should feel it to have become his duty to drop his business wholly; to say good-bye to wife and children, knowing the grave risks that he never would see them again upon earth; to leave his pleasures and home comforts, don a private soldier's uniform, submit to rigorous physical discipline, march by night and by day, be houseless in rain and in snow, often sleeping without shelter under a pouring sky; to live on the coarsest fare always, and frequently have an insufficient supply of that; to be posted as a picket by day and night in pestilential swamps and bottom lands; to risk the imminent peril of losing health and accepting the tender mercies of a field hospital; to enter upon campaign, skirmish, battle; day after day to see comrades drop down one by one; to take the chances of wounds by shell and bullet, of torture in a prison-pen, and of death by any of these means—imagine all this, and then say whether he would consider that his country had redeemed a pledge of "eternal gratitude." There is no need of rhetoric. This possible experience is what hundreds of thousands of our brave boys actually endured. There is not a dash of added

somberness to the coloring. Here, then, is precisely the question that is pleading for settlement at the hands of the American people of to-day.

Where is the member of this House from the Northern States, Democrat or Republican, who does not boast to his constituency that our ex-soldiers saved this Government in the late rebellion? If there be one such, let him dare deny it on this floor. Thousands of brave and gallant men from the South now admit it. Saved our nation? Yes, these honeyed, flattering words are poured into the ears of our ex-soldiers during the canvass for every important election. We will hear them again from our Democratic and Republican orators over hill and valley in 1888. Saved our nation? Saved the North, saved the South? Yes, and prevented the pitiful spectacle of two contiguous and ever-belligerent republics imitating the battle of the Kilkenny cats, with the scorn and scoffs of all the European nations, who loathe and hate our institutions, ringing loudly in our ears!

Now, are all these boastings of our orators at our hustings true? If so, either section, North or South, could well afford to give to our ex-soldiers their just rights, if it should even double our debt. What untold billions have been saved, leaving out all the countless blessings which have followed peace and the solid union of our States.

Men from different standpoints view objects at a distance with very conflicting impressions. Sometimes the lenses through which they make their observations are imperfect or colored, and sometimes their positions are dissimilar and unfavorable; and it may be that they differ in the perfection of their visions. Be this as it may, George Washington and President Cleveland have viewed the rights of American soldiers in very different lights. One fought and suffered for the independence of the United States through a seven-years war, and was with his men in sunshine and storm; slept with them on the fields of battle, where the dead were lying cold and thick around him.

President Cleveland's experience was far different. He during our late revolution was no doubt faring sumptuously, snoring single and alone in his bed in Buffalo, and displaying all his chivalry and valor by proxy—by his hired substitute. I have no reflection to cast upon his substitute, for I have known some who were gallant soldiers in battle.

Who understood the soldier—General Washington or President Cleveland?

A committee of our Army in 1778 called upon Washington and made known their demands and sufferings. In his address to them he replied:

It is not indeed consistent with reason or justice to expect that one set of men should make a sacrifice of property, domestic ease and happiness, encounter the rigors of the field, the perils and vicissitudes of war, to obtain those blessings which every citizen will enjoy in common with them without some adequate compensation. It must also be a comfortless reflection to any man that after he may have contributed to securing the rights of his country, at the risk of life and the ruin of his fortune, there would be no provision made to prevent himself and family from sinking into indigence and wretchedness.—*Journal of Congress*, volume 4, page 211.

Nearly five years after this, March 18, 1783, Washington again made an effort to have justice done to the officers and soldiers who had fought with him in the Revolution. In his communication to the President of the Continental Congress he said:

For if besides the simple payment of their wages a further compensation is not due to the sufferers and sacrifices of the officers, then have I been mistaken indeed. If the whole army have not merited whatever a grateful people can bestow, then I have been beguiled by prejudice and built opinion on the basis of error. If this country should not in the event perform everything which has been requested in the late memorial to Congress, then will my belief become vain and the hope that has been excited void of foundation. And if, as has been suggested for the purpose of influencing their passions, "the officers of the Army are to be the only sufferers in the Revolution;" if retiring from the field they are to grovel in poverty, wretchedness, and contempt; if they are to wade through the vile mire of despondency and owe the miserable remnants of their life to charity which has hitherto been spent in honor, then shall I have learned what ingratitude is; then shall I have realized a tale which will imbitter every moment of my future life. But I am under no such apprehensions. A country rescued by their arms from impending ruin will never leave unpaid the debt of gratitude.—*Spartan's Writings of Washington*, volume 8, page 397; *Journal of Congress*, pages 210, 211.

Such was the justice, the love, and the gratitude that swelled the heart of the Godlike Washington for his comrades and his soldiers. President Cleveland, too, has shown how his heart beats for our soldiers. But he is now silent, and if he has any sorrows, he keeps them to himself, and the only evidence of his emotions is to be found in the great book so much admired in the solid South. As long as print will last that book will never be forgotten. Of course, you understand I allude to that imperishable volume, containing his 101 vetoes of pension bills, which provided a pittance for disabled soldiers, and widows and orphans left helpless and destitute. There will soon be another edition.

The wit, force, and stream of those vetoes have no doubt been keenly felt by the sufferers, but will never be fully appreciated by his literary admirers; and the economy of withholding charity where it was so much needed, with our great surplus in the Treasury, will be one of the wonders of the age.

What a contrast between the first and last President of the United States! Washington, at the head of a nation with an empty Treasury, without credit, and a worthless currency, with a sparsely-settled country, not exceeding four millions of people, begging, insisting,

and demanding that the officers and soldiers who served under him should be pensioned with full pay during the terms of their natural lives.

Cleveland, at the head of the richest and greatest nation upon the face of the earth, containing a population of 63,000,000, with unbounded credit and resources, with a Treasury filled to repletion, and the vaults almost bursting with gold and silver—Cleveland, stubborn, stern, and heartless, refusing even a mite of charity to the men who wrecked their fortunes and their constitutions that our Government might live. Cold, and unshaken, with the greed of a miser, he has denied the demand of the people, and vetoed and trodden down the acts of the Senate and House of Representatives of the people of the United States!

When party passion and all individual hatreds shall have passed away the merciless pen of Truth will draw the parallel and paint the contrast. The only palliative to the darkness of the picture will be found in the fact that Washington knew what the services and sufferings of a soldier were and President Cleveland did not.

The weary march, day and night, through heat and cold, in dust, mud, snow, and rain, with hunger and thirst and a damp earth for his bed; the lone, dark watch on the picket line of death; the skirmish, the battle, with its hail of musketry and roar of cannon; the dead, the dying, the wounded in the thick smoke of battle, may be faintly sketched by the poet, the orator, and the painter, but can never be understood or realized by any man who has not been a soldier in battle. I am sure President Cleveland can not. [Applause.]

The following table and letters will explain themselves:

Wages of a soldier during the war.

[From the lecture of Comrade James Winston, of Boston.]

Per day.	Greenback value of a gold dollar.	Gold value of a greenback dollar.	Amount received in greenbacks (two months' pay, \$18 per month).	Amount received calculated in gold.	Deficit in gold.	Amount entitled to calculated in greenbacks.
March 1, 1862.....			\$25.00	\$26.00		
May 1, 1862.....	\$1.02½	\$0.98	25.00	25.49	\$0.52	\$26.52
July 1, 1862.....	1.09½	.91	25.00	23.66	1.34	28.34
September 1, 1862.....	1.17	.85	25.00	22.10	2.90	30.40
November 1, 1862.....	1.31½	.76	25.00	19.76	5.24	34.66
January 1, 1863.....	1.33½	.75	25.00	19.50	5.50	34.53
March 1, 1863.....	1.71½	.58	25.00	15.08	10.92	44.45
May 1, 1863.....	1.51½	.66	25.00	17.16	7.84	39.26
July 1, 1863.....	1.45	.68	25.00	17.68	7.32	37.70
September 1, 1863.....	1.27½	.78	25.00	20.28	4.72	31.62
November 1, 1863.....	1.46½	.68	25.00	17.68	7.32	37.96
January 1, 1864.....	1.52	.65	25.00	16.90	8.10	39.52
March 1, 1864.....	1.60	.62	25.00	16.12	8.88	41.60
May 1, 1864.....	1.77½	.56	25.00	14.56	10.44	46.02
July 1, 1864.....	2.50	.40	25.00	10.40	14.60	65.00
September 1, 1864.....	2.48½	.40	25.00	10.40	14.60	64.00
November 1, 1864.....	2.41½	.41	25.00	10.66	14.34	62.66
January 1, 1865.....	2.29½	.43	25.00	11.18	13.82	50.54
Total.....			468.00	314.60	153.40	723.12

It will be observed that the soldier, at the end of his three years' service, had lost \$153.40 in gold, the value of which in greenbacks would have been \$235.12.

[Copy of a letter from James Marwyn.]

INDIANAPOLIS, March 2, 1883.

MY DEAR GENERAL: I noticed in the papers a few days ago that you had presented a bill in Congress to do justice to the soldiers and sailors who served in the late rebellion, and who were compelled to receive their pay in depreciated "greenbacks." In my opinion your bill does not reach far enough. I think the soldier, like the bondholder, should have interest on the amount that he lost by being compelled to receive such depreciated currency.

The justice of your bill recalled to my mind three of the playmates of my boyhood, James H., John H., and Thomas H., who were brothers and lived near the residence of my father in Ohio.

When the war broke out James was a married man with a small family and was compelled to remain at home to take care of his wife and children. He rented a small farm, and the extreme high prices of produce during the war left him, when peace was declared, very well off with a farm of his own.

John joined the Navy, and Tom was a volunteer in the Western army. You may have known him, as he was very severely wounded in your great battle at Champion's Hills. About the same time, in July, 1864, John and Tom both received about \$100 each for their services. John was then on the western coast of California, and received his payment in gold. Tom got his in "greenbacks," then worth only \$40 in gold, which he soon spent like a soldier. John was more careful, and with his \$100 in gold bought \$250 of United States bonds drawing 6 per cent., payable semi-annually. He is now a banker, and those bonds have realized him over \$1,000, and are now worth a premium of 25 per cent. besides.

A few years after the war closed, Tom, who was a physical wreck, died in a poor-house in this State, and James is now one of the most substantial men of his county. I have often thought of those brothers.

If the army in which Tom served had been unsuccessful, it is more than probable that his brothers would have shared his fate in the poor-houses of the country.

Thousands of our ex-soldiers who impaired their constitutions in the Army and broke up all their habits of home life are now the poor men of our country. Many of them have shared the fate of poor Tom, and are now in poor-houses or living on charity.

This is a strange world, general, and the simple history of those boys adds

another link in the chain of evidence to prove that "republics are ungrateful." I wish you all success in your noble labors for your comrades.

Respectfully, yours,

Hon. ALVIN P. HOVEY, M. C.,
Washington, D. C.

JAMES MARWYN.

THE PUBLIC DOMAIN.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., April 13, 1888.

SIR: I am in receipt of your letter of the 10th instant, relative to certain statistics relating to the public lands, and in reply thereto herewith inclose a table showing the estimated area of the public domain disposed of, and the estimated area remaining to June 30, 1887.

Under date of April 9, I transmitted you a statement giving the area of the public lands surveyed and the estimated area unsurveyed to June 30, 1887.

Very respectfully,

S. M. STOCKSLAGER,
Commissioner.

Hon. A. P. HOVEY,
House of Representatives.

Statement showing the area of land in each State and Territory, with the area surveyed and unsurveyed to June 30, 1887.

States and Territories.	Area of States and Territories.	Number of acres surveyed up to June 30, 1887.	Area remaining unsurveyed on June 30, 1887.
	<i>Acres.</i>		<i>Acres.</i>
Ohio.....	25,581,976	25,581,976	.....
Louisiana.....	28,731,080	27,067,762	1,663,318
Indiana.....	21,637,760	21,637,760	.....
Mississippi.....	30,179,840	30,179,840	.....
Illinois.....	35,465,093	35,465,093	.....
Alabama.....	32,462,115	32,462,115	.....
Missouri.....	41,836,931	41,836,931	.....
Arkansas.....	33,410,063	33,410,063	.....
Michigan.....	36,128,640	36,128,640	.....
Florida.....	37,081,520	30,704,518	6,377,002
Iowa.....	35,228,800	35,228,800	.....
Wisconsin.....	34,511,360	34,511,360	.....
California.....	100,992,640	71,988,476	29,004,164
Minnesota.....	53,452,840	42,316,088	11,136,752
Oregon.....	60,975,260	39,867,995	21,107,265
Kansas.....	51,775,240	51,775,240	.....
Nevada.....	71,737,600	32,733,702	38,993,898
Nebraska.....	47,077,359	46,989,039	88,320
Colorado.....	66,890,000	58,184,750	8,705,250
Wyoming.....	62,645,120	47,093,498	15,551,622
New Mexico.....	77,568,840	46,590,485	30,978,355
Utah.....	54,064,640	13,078,172	40,986,468
Washington.....	44,796,160	21,281,622	23,514,538
Dakota.....	95,596,480	47,865,153	47,731,327
Arizona.....	72,906,240	13,804,538	59,101,702
Idaho.....	53,228,160	10,350,584	42,877,576
Montana.....	92,016,640	18,540,335	73,476,305
Alaska.....	369,529,600	.....	369,529,600
Public Land Strip.....	3,672,640	.....	3,672,640
Total.....	1,775,028,547	946,725,505	828,303,042

DIVISION OF ACCOUNTS, GENERAL LAND OFFICE, April 9, 1888.

OBSERVATION.

Up to June 30, 1887, the unsold public domain of the United States, as stated in the tables above referred to by the Commissioner of the Land Office, was as follows:

	<i>Acres.</i>
Surveyed and undisposed of.....	253,558,878
Area unsurveyed.....	828,303,042
Grand total.....	1,081,861,920

There were about 2,300,000 men in the service of the United States during the late rebellion, and allowing each man a land warrant of 160 acres, which has been given to all who served before them, their warrants would cover 368,000,000 of acres, and still leave of the unsold public domain 713,861,920 acres.

We can scarcely conceive the magnitude of our unsold public domain. After allowing every soldier the 160 land-warrant, as above, and we would still have an area of unsold lands more than thirty-two times as large as the State of Indiana! It is not probable that more than two million claims would be made.

The friends of the homestead need not be alarmed, for there is ample room for all. Millions of acres in the West that were regarded as worthless thirty years ago are now classed with the valuable lands of the country.

During the delivery of Mr. HOVEY's remarks the following proceedings took place:

The CHAIRMAN (at 2 o'clock p. m.). The time of the gentleman from Indiana [Mr. HOVEY] has expired.

Mr. FORAN. How much more time does the gentleman require?

Mr. HOVEY. About fifteen minutes.

Mr. FORAN. I will yield the gentleman that time.

Mr. HOVEY. I have been given time by the gentleman from Massachusetts [Mr. LONG].

The CHAIRMAN. The Chair can not recognize the gentleman from Massachusetts in the matter, as he is not present in the Hall. The gen-

tleman from Ohio [Mr. FORAN] is entitled to the floor and yields to the gentleman from Indiana such time as he requires.

Mr. FORAN. Fifteen minutes.

Mr. HOVEY. I thank the gentleman.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, informed the House that the Senate had passed an act (S. 185) for the admission of the State of South Dakota into the Union, and for the organization of the Territory of North Dakota; in which the concurrence of the House was requested.

PENSION APPROPRIATION BILL.

Mr. FORAN. I had hoped, Mr. Chairman, that this bill making appropriations to pay the pensioners of the United States might be passed by this body without being drawn into the mire of party politics; in fact, there was an understanding to that effect. So far as the remarks of the gentleman from Iowa [Mr. HENDERSON] are concerned in relation to the expressed desire of the present Administration to be assured when it purchased bonds that it had authority to do so, I only desire to say that this country ought to be congratulated that its Chief Executive is honestly over scrupulous rather than corruptly reckless in his interpretation of the laws which, by virtue of his high office, he is called upon to interpret. That is all I desire to say about that except that there have been some administrations against which the charge of honest enforcement of law could not be made.

With respect to what the gentleman said in answer to some remarks made by the gentleman from Michigan [Mr. TARSNEY] a few days ago, I only desire to say that I, as a Democrat, congratulate myself upon the fact that the other side, instead of finding fault with our administration of the Pension Department, have found it necessary to apologize for their own administration of that great department. The gentleman also said that Mexican pension claims were rushed through rapidly. That may be true, but it should be remembered that the Mexican pension is a service pension, and that all the applicant or claimant has to do is to establish the fact that he was a soldier in the Mexican war and that he is over sixty-two years of age. That is very easy to do, and, as a matter of course, those claims are passed upon rapidly. So much for that.

As to what was said by the gentleman from Iowa [Mr. HENDERSON] about the pension given to Hon. William R. Morrison, I know nothing of it. It may be mere newspaper talk, or there may be some foundation for the statement. It involves no charge of corruption, and I let it pass. The administration and character of General Black speak for themselves. Neither demands nor needs apology or vindication. With respect to the remarks made by the gentleman from Indiana [Mr. HOVEY] I do not desire to say anything except that if the laws relating to pensions are surrounded, as he claims, by red-tape regulations, he ought to blame those who enacted those laws and made those red-tape regulations, which were a legacy to the present administration. The per diem service bill spoken of by the gentleman from Indiana would, as near as I can compute it, add to the pension expenditures of the United States over \$100,000,000 per annum. General, Drum the Adjutant-General of the Army, estimates that the number of Union soldiers of the late war now living is 984,000, nearly one million. Their average service was two years and a half, which would make \$9.13 a month. That would make about a hundred million dollars, which, added to the eighty millions that we are at present paying for pensions, would make about \$180,000,000, or over \$3 per capita upon all the people of the United States. Taxes are paid by those who labor; taxes are paid by the workingmen, who create wealth; and if a man has a family of four in addition to his wife, he would have to pay \$18 per annum for pensions. A dollar in this country represents ten hours work, so that he would have to work eighteen days in the year for the payment of pensions. I believe that if the workingmen of this country, the ex-soldiers included, understood this, they would not be so anxious or a per diem pension bill. I was a soldier of the late war myself, and will go as far as any gentleman, in reason, for the soldier; but I think that if there are 984,000 Union soldiers of that war still living, and 406,000 of them are upon the pension-rolls (probably the number will be about 450,000 before the end of this fiscal year), this country is doing remarkably well for its soldiers. I do not say it has done more than it should, or even as much as it should; more will be done in time. If one-half of all the men now living who served in the war for the Union are upon the pension-roll, that is a condition of things never seen or heard of before in any country on this globe. Now, Mr. Chairman, I have said all that I think it necessary to say on these points, and I ask that general debate on this bill be considered as closed.

There was no objection, and it was so ordered.

The CHAIRMAN. The Clerk will now proceed to read the bill by sections for amendment and discussion under the five-minute rule.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1889, and for other purposes, namely:

For Army and Navy pensions as follows: For invalids, widows, minor children, and dependent relatives, and survivors and widows of the war of 1812, and with Mexico, \$79,000,000: Provided, That the appropriation aforesaid for navy

pensions shall be paid from the income of the navy pension fund, so far as the same may be sufficient for that purpose: *And provided further*, That the amount expended under each of the above items shall be accounted for separately.

Mr. CONGER. Mr. Chairman, I offer the amendment I send to the desk.

The Clerk read as follows:

Amend by inserting in line 14, after the word "purpose," the following: "*And provided further*, That in all pensions to widows payments shall be made from the date of the death of the husband."

Mr. FORAN. The point of order is reserved.

Mr. CONGER. What point of order does the gentleman make?

The CHAIRMAN. The gentleman will state his point of order.

Mr. FORAN. It changes existing law.

The CHAIRMAN. The Chair will hear the gentleman from Iowa briefly upon the point of order.

Mr. CONGER. Mr. Chairman, I take it that the point of order will not be sustained. Surely this amendment changes no existing law. Section 4702 of the Revised Statutes provides as follows (and I only read that portion of it referring to this subject):

* * * His widow, or if there be no widow, or in case of the death without payment to her of any part of the pension hereinafter mentioned, his child or children under sixteen years of age shall be entitled to receive the same pension as the husband or father would have been entitled to had he been totally disabled, to commence from the death of the husband or father and continue to the widow during her widowhood, and to his child or children until they have attained the age of sixteen years, and no longer, etc.

Now, section 4709 of the same law fixes a limit within which applications must be filed in order that they may refer back to the date of disability, or to the time that the right to pension accrued—that is five years thereafter.

The language of this section it is true is "all pensions."

But in order that the two sections may not be meaningless they must be construed together, and if they are construed together they are still meaningless unless we conclude that section 4709 refers to all pensions, as it says, except those mentioned in section 4702, namely, the pensions to widows.

It is claimed that section 4702 has been repealed by a provision in an appropriation act passed on March 3, 1879. Now, Mr. Chairman, it is apparent that this section has reference only to those cases mentioned in section 4709; it simply refers to the limitation as to time in which the cases shall be filed, changing the time from five years after accrued right to an absolute date, and fixing that date at the 1st of July, 1880, and it did not intend to, nor does it, repeal section 4702, because neither in its enacting clause nor in its limitation clause does it make any mention whatever of this section; but it does in specific terms, by a section in that appropriation act, repeal section 4709. Section 3 of that act of March 3, 1879, provided:

Section 4709 of the Revised Statutes is hereby repealed.

The specific terms of this section plainly precludes the idea of repeal by implication of a section not mentioned.

Now, Mr. Chairman, as to the question of repealing or enacting laws simply by a provision inserted in an appropriation act we have a very recent example which ought to be binding at least upon the members on the other side of this House, where the Chief Executive of this nation in a case of a most urgent character and of the most vital importance, as he says, expressed the gravest doubts as to the legality or the permanency of enactments embodied in appropriation bills. Then, if that is not enough, and if it is still claimed that section 4702 was repealed by this section of the appropriation act, because of its inconsistency with it, then that objection is overcome by the fact that by an act approved August 7, 1882, which is chapter 433 of the Statutes at Large, to be found in volume 22, this section 4702 is re-enacted in the very words of the Revised Statutes, in which it is specifically provided that the widow's claim for pension shall commence from the date of the death of the husband. I read from this act, but only that portion which relates particularly to this branch of the subject:

His widow, or if there be no widow, or in case of her death or payment to her of any part of the pension hereinafter mentioned, his child or children under sixteen years of age, shall be entitled to receive the same pension as the husband or father would have been entitled to had he been totally disabled, to commence from the death of the husband or father, etc.

Language could not be plainer.

That is the very latest enactment upon this subject, and if it is true, as gentlemen must admit, that the latest enactment repeals all previous enactments that are inconsistent therewith, then certainly the widow is and must be by law entitled to a pension from the date of the death of her husband and not from the time of filing her application.

Now, as to the propriety of making these declarations or constructions of law in appropriation acts, the distinguished committee which prepared and presented this ought by their own acts to have their mouths closed against an objection of this kind. Why, this very bill, in the proviso just preceding where I have offered this amendment, declares that—

The appropriation aforesaid for navy pensions shall be paid from the income of the navy pension fund, so far as the same may be sufficient for that purpose.

When, Mr. Chairman, section 4755 of the Revised Statutes provides that these navy pensions shall be paid from this fund only, and can be paid from no other, why, then, the necessity for declaring it in an ap-

propriation bill? Simply the same necessity as exists for the declaration of this amendment. Another very excellent reason, Mr. Chairman, why the point of order will not lie against a declaratory measure of this kind, or a construction of existing law in an appropriation bill, may be found in a very recent act of this House. I have not forgotten, and I trust that gentlemen on the other side of the House have not forgotten, that on Monday last this House resolved itself into an attorney-general, into a court, into a law officer, and a judicial forum, and declared, or construed rather, a law—

Mr. PETERS. Interpreted.

Mr. CONGER. Interpreted, my friend from Kansas suggests, a law for a halting Executive—a law, Mr. Chairman, which to everybody else but this Executive was perfectly plain and conclusive.

In this amendment we are enacting no new legislation, but we are simply following these precedents and construing a very plain law for another executive officer who does not seem to understand the law, or, understanding it, fails hopelessly in its execution. It seems to me, Mr. Chairman, the point of order is not well taken and can not be sustained.

Mr. FORAN rose.

Mr. PETERS. I would like to supplement the remarks of the gentleman from Iowa on the point of order by one or two suggestions, and then the gentleman from Ohio can reply to both of us.

Mr. FORAN. Very well.

Mr. PETERS. I simply want to supplement what the gentleman from Iowa has said by this statement.

If it is claimed at all that the law to which he refers has been repealed, no more, certainly, can be claimed than that it has been repealed by implication. Now, as you well know, it is a legal proposition adhered to by all courts that repeals by implication are not favored. But especially is that the case here where that implication, if there is an implication at all of repeal, has been limited by the act to which the gentleman from Iowa refers. Section 3 of the act of 1879 curtails the power of the limitation by declaring specifically that section 4709 of the Revised Statutes is hereby repealed and virtually says by implication that no other statute is repealed or no other section of the statute is repealed.

You will also observe another rule of law that where there is the express mention of one subject-matter, that in the construction of the law virtually excludes any other matter that is not expressed. Now, here in this law of 1879 is an express mention of the repeal of a certain section, which, in my judgment, according to all the rules of legal construction, precludes taking into consideration any other section that is not mentioned in it.

Those are the two points to which I desired to call attention.

Mr. FORAN. I would be more than gratified to allow a vote to be taken on this amendment, because I believe in the proposition as I further believe that it is the law now. And I believe the Commissioner of Pensions ought to so interpret existing statutes. But I can not permit these amendments which change existing law or which increase appropriations to go upon this bill, for the reason if one is permitted there will be a flood of them. This bill will be loaded down, and when it goes over to the Senate it may come back with the dependent-pension bill upon it.

I have no objection to the amendment except that I think the House ought to pass this appropriation bill and let these other measures relating to pensions stand on their own merits. I am willing to vote for them when they come up, and willing and anxious to vote to take them up at any time.

Mr. CONGER. I did not hear distinctly the gentleman's first sentence. Do I understand him to say that he believes this is the existing law?

Mr. FORAN. I do. I think if the argument of the gentleman from Iowa made to the chairman of the Committee of the Whole was made to the Commissioner of Pensions he would get a ruling from him in his favor.

Mr. MILLIKEN. If this is the law now, how will the amendment change existing law?

Mr. FORAN. It would be merely declaratory of existing law, and therefore unnecessary and useless.

Mr. PETERS. If this is the law now the only power which has jurisdiction to declare what the law is has placed a construction upon it which is in contradiction to a reasonable construction. Therefore it seems to me the amendment of the gentleman from Iowa, declaring what the law is, is not any new creation of law, but is simply an interpretation of existing law, and therefore is not subject to the point of order.

Mr. FORAN. I am not aware this matter has ever been appealed from the Commissioner of Pensions to the Secretary of the Interior. Is the gentleman aware whether the Secretary has ever passed upon this matter?

Mr. PETERS. I do not know.

Mr. FORAN. I would be very willing to let a vote be taken on this amendment if the House will after that stand by the committee and prevent the admission of these amendments changing existing law.

The CHAIRMAN. Does the Chair understand the gentleman from Ohio as withdrawing his point of order?

Mr. PETERS. I am as much opposed as any one can be to changing of existing laws by provisions in appropriation bills. But this is simply a declaration of what existing law is.

Mr. FORAN. I will reserve the point of order and let a vote be taken. That is, I wish to obtain the sense of the House.

Mr. McMILLIN. The gentleman can not properly do that. If he withdraws the point of order this inevitably opens the door for a great number of amendments.

Mr. FORAN. I insist on the point of order.

The CHAIRMAN. The Clerk will read clause 3 of Rule XXI.

The Clerk read as follows:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriation for such public works and objects as are already in progress; nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

The CHAIRMAN. The Clerk will now read section 4702 of the Revised Statutes down to the point indicated.

The Clerk read as follows:

SEC. 4702. If any person embraced within the provisions of sections 4692 and 4693 has died since the 4th day of March, 1861, or hereafter dies, by reason of any wound, injury, or disease which, under the conditions and limitations of such sections, would have entitled him to an invalid pension had he been disabled, his widow, or, if there be no widow or in case of her death without payment to her of any part of the pension hereinafter mentioned, his child or children under sixteen years of age shall be entitled to receive the same pension as the husband or father would have been entitled to had he been totally disabled; to commence from the death of the husband or father, to continue to the widow during her widowhood, and to his child or children until they severally attain the age of sixteen years, and no longer.

The CHAIRMAN. The Clerk will now read the amendment offered by the gentleman from Iowa [Mr. CONGER].

The Clerk read as follows:

And provided further, That in all pensions to widows payment shall be made from the date of the death of the husband.

The CHAIRMAN. The Chair has no hesitation in saying that the amendment offered by the gentleman from Iowa [Mr. CONGER] is a mere declaration of existing law. The Chair has no doubt about the law as read by the Clerk, and the amendment offered by the gentleman from Iowa is a mere declaration of it and does not change it in any respect. The Chair therefore feels impelled to overrule the point of order. The question is on the amendment offered by the gentleman from Iowa [Mr. CONGER].

Mr. CONGER. In support of this amendment I desire to have read a brief extract from the report of the Commissioner of Pensions.

The Clerk read as follows:

Our knowledge of the sacred relations of husband and wife makes us know that the last thought which often occurs to the widow is that of the pecuniary results of death. Moreover, there is a sense of delicacy which prevents a woman from immediately making application to be availed of the results of her husband's death, and so between cares, delicacy, and sometimes ignorance of right, long intervals elapse between the death of the husband and the filing of the application of the widow. In such cases as may hereafter arise it seems to me that the law should allow the commencement of the pension to date from the death of the husband where the other conditions required by the law are present.

The amendment was agreed to.

Mr. O'NEILL, of Missouri, offered the following amendment, to come in after line 16:

And provided further, That all United States officers now authorized to administer oaths are hereby required and directed to administer any and all oaths required to be made by pensioners and their witnesses in the execution of their vouchers free of charge.

Mr. O'NEILL, of Missouri. The chairman of the committee has no objection to that amendment, and I ask that it be adopted.

Mr. BLAND. If that amendment is adopted it may result in the pensioner never getting his money, because we are not to assume that anybody is going to administer these oaths as a matter of charity. If we are to adopt that amendment it ought to be coupled with another provision, that this service should be paid for by the Government. Somebody must pay for it, or the applicant will never get his pension.

Mr. McMILLIN. I reserve the point of order on that amendment.

Mr. O'NEILL, of Missouri. It is too late. The amendment has been discussed. Mr. Chairman, the law requires the pensioners every quarter to go with their vouchers and their witnesses and have their vouchers acknowledged. That imposes a tax on every pensioner of about \$2 a year. Now, this amount can be saved to them by simply requiring the United States officers to perform this duty. I do not think it will interfere with the duties of these officials, and it is in the line of permitting the pensioner to obtain all the money which the Government says he is entitled to, by relieving him of this indirect tax.

Mr. McMILLIN. I withdraw the point of order.

The amendment was agreed to.

Mr. DOCKERY. I send up an amendment to come in after the one just adopted.

The amendment was read, as follows:

And provided further, That no agent or attorney shall demand, receive, or be allowed any compensation in any claim for increase of pension on account of the increase of the disability for which the pension has been allowed, or for services rendered in securing the passage of any special act of Congress grant-

ing a pension or an increase of pension in any case that has been presented at the Pension Office or is allowable under the general pension laws.

Any agent, attorney, or other person instrumental in prosecuting any claim for increase of pension on account of the increase of the disability for which pension was allowed, or who has rendered services in procuring the passage of any special act of Congress granting a pension or an increase of pension in any case that has been presented at the Pension Office or is allowable under the general pension laws, who shall directly or indirectly contract for, demand, receive, or retain any compensation for such services, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every such offense, be fined not exceeding \$500, or imprisoned not exceeding two years, or both, in the discretion of the court.

Mr. FORAN. I make the point of order against this amendment that it is new legislation.

Mr. DOCKERY. I have no intention of discussing the point of order. The amendment is clearly obnoxious to the rule in that respect, but inasmuch as this provision has been unanimously recommended by the Committee on Invalid Pensions, and would save to the soldiers about \$400,000 annually of deductions heretofore made from their allowances, I had indulged the hope that the gentleman would not insist upon the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. FORAN. Mr. Chairman, it is not fair for the gentleman from Missouri [Mr. DOCKERY] to undertake to put me in that attitude. I might perhaps favor the proposition if it came up in the regular way, but I am compelled to make these points of order for the reasons I have already indicated.

The Clerk read as follows:

For fees and expenses of examining surgeons for services rendered within the fiscal year 1889, \$1,000,000. And each member of each examining board shall, as now authorized by law, receive the sum of \$2 for the examination of each applicant whenever five or a less number shall be examined on any one day, and \$1 for the examination of each additional applicant on such day: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of \$1 only until twenty examinations shall have been made.

Mr. GALLINGER. I make a point of order against the proviso of this paragraph that it changes existing law.

Mr. HENDERSON, of Iowa. I call the attention of the Chair to the fact that this is identical with a provision in the bill of last year, so that it is existing law.

Mr. RANDALL. Yes; it is existing law. The rate of pay was fixed in the act passed three years ago.

The CHAIRMAN. Does the gentleman from New Hampshire [Mr. GALLINGER] admit that this is the provision of the appropriation act now in force?

Mr. GALLINGER. I have not examined to ascertain whether it is or not. My impression is that it is not a part of the statute law. What the last appropriation act may have provided on this point I do not know.

Mr. RANDALL. I submit that it has been recently decided in this House in a very effective manner that legislation upon an appropriation bill is valid.

The CHAIRMAN. The Chair has no hesitation on that point, if he can ascertain what the fact is. [A pause.] The Clerk will read the provision embraced in the appropriation act for the present fiscal year.

The Clerk read as follows:

Provided, That if twenty or more applicants appear on one day no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of \$1 only until twenty examinations shall have been made.

Mr. GALLINGER. Mr. Chairman, upon the statement made I desire to withdraw the point of order.

Mr. WHITE, of Indiana. I move to amend the pending paragraph by striking out all after the word "dollars," in line 19, and inserting the following:

That for each and every examination, regardless of numbers, made by said examining surgeons, they shall receive the sum of \$2.

Mr. FORAN. I make a point of order on that amendment. It changes existing law.

The CHAIRMAN. The gentleman from Ohio makes the point of order that this amendment changes existing law. Does the gentleman from Indiana desire to be heard upon the point of order?

Mr. WHITE, of Indiana. Mr. Chairman, it does not appear to me that this amendment makes any change in the existing law, though it may possibly be regarded as a construction of the law. The present law provides that the members of the examining board shall receive a fee of \$2 for the examination of each applicant whenever five or less shall be examined on any one day, and shall receive \$1 for the examination of each additional applicant on the same day. But while there is provided a reduced fee for additional examinations over five, there is no provision for an increased fee in case less than five persons appear for examination. It appears to me that if the law is flexible in one direction, it ought to be so in another; it should not slide altogether one way, and to the detriment unjustly of these examining officers.

There is no provision that claim agents receiving more than five cases in any one day shall have their fees reduced. The claim agent is al-

lowed so much for every case, whether the number of cases be one or a hundred. Why should not the physician be placed upon a similar scale? Certainly the vocation of the examining surgeon is just as honorable as that of the claim agent; the part performed by the physician in reference to the pensioning of the soldiers is just as creditable as the work done by the claim agent. Yet we are adopting regulations which discriminate against these professional gentlemen.

I have been spoken to on this subject by a great many physicians, who have informed me that there is a hardship in the present operation of the law. On some days there may not be more than one or two soldiers examined; yet the members of the board are obliged to abandon their business and attend to the examination, although it does not pay them to do so. On the other hand, when the number examined exceeds five, there is a reduction in the fee. It seems to me there should be either a corresponding increase when a smaller number than five are examined, or there should be a uniform fee for each examination, regardless of numbers.

I trust that before this Congress adjourns we shall pass a law which, possibly, may dispose of this whole question. There is now, I understand, before the committee a bill similar to one presented at the last session of Congress, which, if it had become a law, would have rendered unnecessary any provision such as I now propose. I refer to what is known as the "general pension law," the provisions of which would relieve our ex-soldiers of a great deal of present trouble and annoyance in connection with examinations.

I hope that the amendment I now propose will not be ruled out of order. There is to my mind no reason why it should be looked upon as involving new legislation. It has substantially been the law heretofore; but the construction placed upon the law has been different. I hope the amendment will be adopted, not only in justice to the surgeons, but for the benefit of those who apply for pensions, and who, when an examination is hastily made, may suffer great injustice.

Mr. FORAN rose.

The CHAIRMAN. The Chair is ready to rule on the question.

Mr. FORAN. Only a word before the Chair decides. Mr. Chairman, at present the average fee per board for each examination is \$4.80 or \$1.60 for each surgeon. The scramble to get these appointments is almost unprecedented; and the surgeons ought not to complain of the present rate of pay. The adoption of this amendment would increase the annual expenses of the Government \$193,000. The Committee on Expenditures in the Interior Department has unanimously made an adverse report upon the bill providing for a uniform fee of \$2.

Mr. RANDALL. Will the gentleman from Ohio state, if he can, what is the average annual pay of each surgeon for these weekly meetings?

Mr. FORAN. The pay averages about \$900 annually for each surgeon.

The CHAIRMAN. The amendment of the gentleman from Indiana clearly changes existing law. The Chair sustains the point of order.

Mr. GAY. Page 2, line 31, I move to strike out "18" and insert "19;" and in line 12 to strike out "72" and insert "76."

Mr. RANDALL. I do not know whether the amendment is subject to the point of order, but I desire to reserve it.

Mr. GAY. Mr. Chairman, the object of the amendment is to do comparative justice and contribute to the convenience of the thousands of pensioners in the southwestern district of the United States east of the Rocky Mountains. In the States of Louisiana, Texas, Arkansas, Florida, and Alabama the Commissioner of Pensions desires to establish an additional agency. There are now, or were at the close of the last fiscal year, 8,081 pensioners, receiving an aggregate of \$987,528 of pensions. All of that at present goes to the pension agent at Knoxville, Tenn., and the Commissioner of Pensions recommends the propriety, and with a view to the convenience of the pensioners in that part of the country, of establishing an additional pension agency at New Orleans.

The subcommittee of the Committee on Invalid Pensions granted him one additional agency, but the full committee concluded it was only necessary to retain the present number. Hence the necessity for my amendment, and I hope it will be agreed to. I think there is necessity for this additional agency at New Orleans, and I hope the gentleman in charge of the bill will consent to allow the amendment to be included in the bill.

Mr. RANDALL. I do not know what the view of the gentleman in charge of the bill may be to this particular matter, but I can state the view of the committee is that this amendment should not prevail. In the Forty-eighth Congress, at both sessions, the House decided that a reduction should take place from eighteen to twelve in the number of those agencies, but the Senate in both cases insisted on keeping the number at eighteen for reasons of their own; I do not know whether political or otherwise.

We are asked to reverse our attitude in this connection, on this side at least, and to increase the number to nineteen, as recommended by the Commissioner of Pensions, who also recommends increases in regard to surgeons and in other respects. I do not think his recommendation should weigh with this House, especially at this time when the law which we have passed gives to the President the authority which I will ask the Clerk to read.

The CHAIRMAN (Mr. HATCH in the chair). The Chair is of the impression that the number of these agents is fixed by existing law. Is that so?

Mr. RANDALL. It is.

Mr. BLANCHARD. Does the gentleman from Pennsylvania rise to a point of order?

Mr. RANDALL. I do.

Mr. BLANCHARD. What is it?

Mr. RANDALL. I think the point of order is that the number of these agents is fixed by law, and, therefore, the amendment proposes a change of existing law.

Mr. BLANCHARD. I wish to say, Mr. Chairman, the object of the amendment offered by my colleague is to provide for an additional pension agent to be located at New Orleans. Under the present regulation locating these pension agencies, there is none provided for the payment of pensions in the Southwest nearer than Knoxville, Tenn. There are thousands of pensioners there, and the number has been increased since the passage of the bill placing on the pension-rolls the veterans of the Mexican war; there are thousands of people in the States of the Southwest who would largely be inconvenienced by the location of this pension agent at New Orleans. I understand this is in pursuance of the recommendation of the Commissioner of Pensions, and I hope the amendment will be adopted.

Mr. HENDERSON of Iowa. Is the question of order pending?

Mr. RANDALL. I have made the point of order, but have reserved it, willing to hear what could be said in favor of the amendment. The debate has been on the merits and on the point of order.

Mr. HENDERSON of Iowa. I wish to make a few observations myself.

Mr. FORAN. I desire to say to the House that I was in favor of this amendment in the committee, but I was out-voted, and of course accepted the situation with all the grace I could. I wish to state further to the House that I was mistaken in saying this amendment was subject to the point of order. It is not subject to it. The section of the Statutes which covers these agencies, section 4780, provides:

The President is authorized to establish agencies for the payment of pensions wherever, in his judgment, the public interests and the convenience of the pensioners require.

That is the general statute bearing upon the subject; so that all this bill would do, if we were to make this provision, would be to provide an appropriation for another agent. The Commissioner of Pensions, General Black, appeared before our committee and said that it was his purpose to establish an agency at New Orleans if the committee granted an appropriation necessary therefor.

Mr. RANDALL. The gentleman from Ohio has referred to the act which authorizes the President to establish these agencies. I have already stated that the President had this power wherever the public necessities demanded it; and the authority is given to him under the statute to make new pension districts. But I do say that he has not recommended any such increase as that contemplated here, and I desire to have that section of the act read in full.

The Clerk read as follows:

The President is authorized to establish agencies for the payment of pensions wherever, in his judgment, the public interests and the convenience of the pensioners require; but the number of pension agencies in any State or Territory shall in no case be increased hereafter so as to exceed three, and no agency shall be established in addition to those now existing in any State or Territory in which the whole amount of pensions paid during the fiscal year next preceding shall not have exceeded the sum of \$500,000.

Mr. RANDALL. I submit that these pensions are mostly paid by drafts. Further, if there was necessity for an increased number of agencies the President has the power already to establish them. The President has made no such recommendation upon the subject, and this, in my judgment, is not a good time to reverse the action of the House of Representatives taken in the Forty-eighth Congress in this connection, when we sought to decrease the number from eighteen to twelve. This is a proposition for an increase.

That is all I desire to say upon the subject.

The CHAIRMAN. Does the gentleman from Pennsylvania insist upon the point of order?

Mr. RANDALL. Well, I am somewhat like the gentleman from Ohio—in a little doubt as to whether it is subject to the point of order. I prefer to let the committee act upon it on its merits, and shall not insist upon the point of order.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Louisiana.

Mr. MILLIKEN. I wish to submit a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MILLIKEN. Is it in order now to move an amendment to the pending amendment?

The CHAIRMAN. It is.

Mr. MILLIKEN. Then I offer the amendment I send to the desk.

The Clerk read as follows:

Amend by striking out "eighteen," in line 31 of the bill, and inserting "twenty;" and add "one to be located at Augusta, Me."

Mr. FORAN. One word only in reference to this amendment.

Mr. MILLIKEN. Mr. Chairman, I wish to say—

The CHAIRMAN. The Chair desires to hear the gentleman from Ohio.

Mr. MILLIKEN. Very well.

Mr. FORAN. I only wish to state that the latter portion of the amendment is clearly susceptible to the point of order.

Mr. MILLIKEN. I wish to say, Mr. Chairman, that I make that amendment because a pension agency was recently established there, and I think that more than \$500,000 are paid in pensions. At any rate a very large sum of money was paid out in pensions; and now all the pensioners from the State are compelled to go to New Hampshire for payment, there being no pension agency at all in the State of Maine. While it is true that these pensions are paid by draft, as suggested by the gentleman from Pennsylvania, yet it is at the same time a great inconvenience to the pensioners.

I have no objection whatever to the amendment offered by the gentleman on the other side of the House, for the establishment of an agency at New Orleans. I think there ought to be one established there, if, as alleged, the pensioners from that region have to go all the way to Knoxville to be paid; but, for the same reason, this should be established in Maine, and I offer the amendment.

The CHAIRMAN. The Chair will state that the amendment proposed by the gentleman from Louisiana did not locate the agency, and the Chair is compelled to sustain the point of order against the amendment of the gentleman from Maine, for the reason that it does locate the agency.

Mr. HENDERSON, of Iowa. Mr. Chairman, when our Committee on Appropriations investigated this subject we had the Commissioner of Pensions, General Black, before us, and every member of the committee desired to meet the wants of the country by having a sufficient number of pension agents. We gave the matter thorough consideration, and every member of the committee was satisfied that the present number is fully sufficient.

The average number of pensioners paid at the various agencies throughout the country is 22,555. There is now a pension agency at Knoxville, Tenn., and one at Louisville, Ky., to accommodate the Southern pensioners. At the Knoxville agency there are only 13,000 pensioners paid and at the Louisville only 10,733. Combining the two agencies the average is only 14,370, which is about 8,000 less than the average at the pension agencies generally throughout the country; showing that the accommodation for that country is absolutely and amply sufficient and far beyond the average.

You take the agency at Columbus and it pays there 39,126 soldiers, as shown by the Commissioner's report. The agency at Chicago pays 35,000 soldiers; at Indianapolis, 34,000; and the one at Topeka, 29,000; and so on of all the agencies, giving an average of over 22,000, taking all into account, and the lowest of any of them is the one I have indicated at Knoxville, and the one at Louisville, which is for the accommodation of the pensioners of the South. So we found no reason whatever in committee for giving the increase asked for here, and reported against it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maine [Mr. MILLIKEN].

Mr. MILLIKEN. Mr. Chairman, I offered that merely to test the question. I now withdraw it.

The CHAIRMAN. The question is on the amendment of the gentleman from Louisiana [Mr. GAY].

Mr. GAY. Mr. Chairman, in support of that amendment I desire to say—

The CHAIRMAN. The Chair will state to the gentleman from Louisiana that under the rule debate upon the amendment is exhausted.

The question was taken on the amendment of Mr. GAY, and the Chair declared that the "ayes" seemed to have it.

Mr. RANDALL. I ask for a division.

The House divided; and there were—ayes 30, noes 77.

So the amendment was rejected.

Mr. GAY. Mr. Speaker, I send an amendment to the desk, which I desire to have read.

The Clerk read as follows:

On page 2, line 32, after the word "each," insert "one of whom to be located at New Orleans, La."

Mr. FORAN. I make the point of order against that amendment.

The CHAIRMAN. The Chair is compelled to sustain the point of order. The amendment clearly changes existing law.

Mr. GAY. This is intended to call the attention of the President to an expression of the House that there should be a consolidation of some of these agencies with the one at New Orleans.

Mr. CANNON. I move to strike out the last word, for the purpose of making a suggestion to the gentleman from Pennsylvania [Mr. RANDALL]. He has well said that in the Forty-eighth Congress this House undertook to decrease the number of these agencies to twelve.

Mr. RANDALL. At both sessions.

Mr. CANNON. At both sessions, after full discussion; and very wisely, it seems to me. In fact, I think the number might be decreased to one, and that one located in Washington, because these pensions are paid by checks anyhow. But I suggest to my friend from Pennsylvania [Mr. RANDALL], that if the Fiftieth Congress should

now make the reduction from eighteen to twelve and send it to the Senate it is possible that that body might be in a better humor to concur. [Laughter.]

Mr. RANDALL. I made an honorable compromise with myself on that subject, and thought I would not disturb it, but if the proposition is presented to reduce the number to twelve I will cheerfully vote for it, because I think now, as I thought then, that twelve is a sufficient number.

Mr. MILLIKEN. Can the gentleman tell us what is the necessity of having any agency but this one in Washington?

Mr. RANDALL. The gentleman, as a Representative here, can answer that as well as I can.

Mr. MILLIKEN. I like to get instruction from older members.

The Clerk read as follows:

For the salaries of eighteen agents for the payment of pensions, at \$4,000 each, \$72,000.

For clerk-hire, \$170,000: *Provided*, That the amount of clerk-hire for each agency shall be apportioned as nearly as practicable in proportion to the number of pensioners paid at each agency.

Mr. FORAN. Mr. Chairman, on behalf of the committee I offer the amendment which I send to the desk:

The Clerk read as follows:

On page 2, line 34, amend by striking out "seventy" and inserting "seventy-eight;" "so as to make it read "\$178,000."

The amendment was agreed to.

The Clerk read as follows:

For fuel, \$750.

For lights, \$750.

For stationery and other necessary expenses, to be approved by the Secretary of the Interior, \$12,000.

Mr. FORAN. On behalf of the committee I offer the amendment which I send to the desk.

The Clerk read as follows:

Page 3, line 41, strike out "twelve" and insert "fifteen."

The amendment was agreed to.

The Clerk read as follows:

For rents, \$20,000. And the Secretary of the Treasury, where possible, shall cause suitable rooms to be set apart in the public buildings under his control in cities where pension agencies are located, which shall be acceptable to the Secretary of the Interior, for the use and occupancy of the said agencies respectively.

Mr. FORAN. On behalf of the committee I offer the amendment which I send to the desk.

The amendment was read, as follows:

Page 3, line 44, strike out the words "where possible."

The amendment was agreed to.

The following amendments, offered by Mr. FORAN on behalf of the committee, were agreed to:

Line 43, amend by striking out "\$20,000" and inserting in lieu thereof "\$18,200."

Also add at the end of line 48 the following:

And the Secretary of the Interior shall designate and provide suitable rooms in the Pension Building for the use and occupation of the pension agent at Washington, D. C., and the office of said agent shall be removed therein.

Mr. FORAN. Mr. Chairman, I move that the committee now rise and report the bills and amendments to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HATCH, from the Committee of the Whole, reported that they had had under consideration a bill (H. R. 5445) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1889, and for other purposes, and had directed him to report it back to the House with sundry amendments.

Mr. FORAN. Mr. Speaker, I demand the previous question upon the amendments and upon ordering the bill to be engrossed and read a third time.

The SPEAKER. The question is on agreeing to the amendments reported from the Committee of the Whole. Is a separate vote demanded upon any amendment? If not, the vote will be taken upon them in gross.

There was no objection, and it was so ordered.

The amendments were agreed to.

The bill was then passed.

Mr. FORAN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. BLANCHARD. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole on the state of the Union.

Mr. CLEMENTS. Mr. Speaker, I desire to inquire whether it is in order to call up the bill first in order?

The SPEAKER. The bills come up in the order in which they stand, and will be considered in that order unless passed over by the House.

Mr. CLEMENTS. Then I wish to say that I shall endeavor to call up the bill making appropriations for the District of Columbia.

The motion to go into Committee of the Whole was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. McMILLIN in the chair.

The CHAIRMAN. The House is now in Committee of the Whole on the state of the Union. The Clerk will report the first bill.

The Clerk read as follows:

A bill (H. R. 6833) making appropriations for the diplomatic and consular service of the Government for the fiscal year ending June 30, 1889, and for other purposes.

Mr. BLANCHARD. With the consent, as I understand, of the Committee on Foreign Affairs, I ask that this bill be passed over.

Mr. SOWDEN and others objected.

Mr. BLANCHARD. I move that the committee rise.

Mr. MCCREARY. As I understand, the proposition is to pass over the consular and diplomatic appropriation bill. I wish to say that the chairman of that committee is to-day absent, but will be here on Monday. We agreed that the bill be passed over. It does not lose its position on the Calendar. I hope, therefore, my friend from Pennsylvania [Mr. SOWDEN] will withdraw his objection.

Mr. SOWDEN. Upon the statement of the gentleman I withdraw the objection.

Mr. BLANCHARD. I withdraw the motion that the committee rise.

The CHAIRMAN. The Clerk will read the title of the next bill in order.

The Clerk read as follows:

A bill (H. R. 8989) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1889, and for other purposes.

Mr. BLANCHARD. I ask that this bill be passed over.

Mr. SOWDEN. I object.

Mr. BLANCHARD. I move that the committee rise.

The CHAIRMAN. No motion is necessary. Objection being made to passing the bill over, the committee rises, pursuant to the rule, in order that the House may determine the question.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. McMILLIN reported that the Committee of the Whole on the state of the Union, having reached House bill 8989, and objection being made to passing it over, the question was reported to the House for its decision.

The SPEAKER. The question is, Will the House direct the Committee of the Whole to pass over the bill for the present?

Mr. CLEMENTS. I hope the gentleman from Louisiana will not antagonize this bill.

The SPEAKER. The question is not debatable.

The question being taken, there were—ayes 73, noes 8.

Mr. SOWDEN. No quorum.

Tellers were ordered; and Mr. SOWDEN and Mr. BLANCHARD were appointed.

The House again divided; and the tellers reported—ayes 156, noes 9. So the House decided to direct the Committee of the Whole on the state of the Union that the House bill 8989 be passed over.

The Committee of the Whole on the state of the Union resumed its session, Mr. McMILLIN in the chair.

RIVER AND HARBOR APPROPRIATION BILL.

The CHAIRMAN. House bill 8989 having been passed over by order of the House, the Clerk will read the title of the next bill in order.

The Clerk read as follows:

A bill (H. R. 9050) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. BLANCHARD. On behalf of the Committee on Rivers and Harbors, I desire to ask that the reading of the bill by paragraphs be now commenced, without any general debate.

The CHAIRMAN. Is there objection to the request to dispense with the first reading of the bill?

Mr. KERR and Mr. SOWDEN objected.

The Clerk proceeded to read the bill.

Mr. NELSON (interrupting the reading). I ask that the further reading of the bill be dispensed with.

Mr. KERR. Mr. Chairman, my objection was to cutting off discussion; I did not intend to insist that the bill be read at length.

The CHAIRMAN. Is there objection to dispensing with the first reading of the bill?

Mr. SOWDEN. I renew the objection.

The Clerk resumed the reading.

Mr. NELSON (interrupting the reading). I again ask unanimous consent that the first reading of the bill be dispensed with, not, however, to cut off debate.

The CHAIRMAN. The gentleman from Minnesota [Mr. NELSON] renews the request that the first reading of the bill be dispensed with. Is there objection? [A pause.] The Chair hears none, and it is so ordered.

Mr. SOWDEN. Mr. Chairman, why does not the Clerk proceed with the reading of the bill?

The CHAIRMAN. The gentleman from Minnesota asked unanimous consent to dispense with the first reading, and there was no objection.

Mr. SOWDEN. Mr. Chairman, I had objected and did not withdraw the objection.

The CHAIRMAN. The Chair, after putting the request, hesitated and looked at the gentleman from Pennsylvania before announcing the result.

Mr. SOWDEN. The Chair must have observed that at the time I was entirely surrounded by gentlemen who were endeavoring to have me withdraw my objection; so that what happened in the meanwhile was entirely lost to me, and thus an undue advantage was taken. I propose that this bill shall be read; that no trick shall be successfully practiced upon me and the House in this manner.

The CHAIRMAN. The Chair will state—

Mr. BAKER, of New York. May I put a question to the Chair?

The CHAIRMAN. In one moment. The Chair will state that the gentleman from Minnesota rose and renewed the request that the first reading of the bill be dispensed with. The request was stated to the House. The Chair hesitated before announcing the result, and looked toward the gentleman from Pennsylvania.

Mr. SOWDEN. The very gentleman that made the motion came here and asked me to withdraw my objection, and I told him that I could not do it; and it now seems that he went back to his seat and sought an undue advantage by making the motion when I was surrounded by members, as already stated, and could not possibly have seen nor heard what was going on.

The CHAIRMAN. The Chair will state that a conference having been had with the gentleman from Pennsylvania in the presence of the House, the Chair might naturally suppose that the objection had been withdrawn; but in order that there might be—

Mr. SOWDEN. How could any one else withdraw my objection or defeat its operation by a renewal of the motion for unanimous consent to dispense with the further reading of the bill under the circumstances stated?

The CHAIRMAN. In order that there might be no mistake about the matter, the Chair, when stating the request to the House, looked toward the gentleman.

Mr. SOWDEN. Mr. Chairman, I contend that the undue advantage sought to be taken can not be successfully practiced. After objection had been made by myself, and the Clerk proceeded with the reading of the bill, what right had the gentleman from Minnesota or anybody else to assume that my objection was withdrawn?

The CHAIRMAN. The Chair will state to the gentleman from Pennsylvania that pending the reading of a bill it is not at all unusual for a second request of this kind to be made after the first has been objected to. It occurs frequently. It is nothing unusual.

The Chair has no desire to take any advantage of the gentleman from Pennsylvania. He thinks he will be sustained in that statement by the observation of the House.

Mr. PERKINS. I call for the regular order of business.

Mr. SOWDEN. I beg to differ with the Chair. Undue advantage was taken. I was so surrounded that the Chair could not see me and I could not see the Chair. If the Chair was looking in my direction for the purpose of seeing whether I would renew my objection I did not observe it.

The CHAIRMAN. The Chair certainly saw the gentleman from Pennsylvania.

Mr. SOWDEN. I state now, Mr. Chairman, that I did not hear the Chair and did not hear the renewal of the motion; and under these circumstances I think I am entitled to be heard. No undue advantage ought to be obtained in a deliberative body in this way, and therefore I renew my objection.

Mr. BLANCHARD. It is too late.

Mr. SOWDEN. It is not too late to do that which is right. It is never too late to prevent the consummation of a trick. Here we have a repetition, Mr. Chairman, of the same tactics that were sought to be perpetrated on the House a few days ago when an attempt was made to force this very bill through under a suspension of the rules.

Mr. BAKER, of New York. Will the gentleman yield to me?

Mr. SOWDEN. No, sir; I renew my objection.

The CHAIRMAN. The Chair will state that there is no disposition on his part, and he thinks there is none on the part of the House, to take any undue advantage of the gentleman from Pennsylvania. Under the circumstances the Chair will therefore recognize the gentleman's objection, as it will result only in the loss of an hour or so in the reading of the bill.

Mr. BAKER, of New York. I hope the gentleman from Pennsylvania will not insist upon the reading of this bill entirely through, as it will have to be read by sections for amendment. [Cries of "Regular order!"] It will save considerable time, as well as save the clerks, by not insisting upon the objection. In the interest of the clerks I appeal to the gentleman from Pennsylvania to withdraw his objection.

Mr. NELSON. I desire to make a statement. I did go over to the gentleman from Pennsylvania and request him to withdraw his ob-

jection. I first requested the gentleman from Iowa [Mr. KERR] to withdraw his objection, which he did. Then I went over and asked the gentleman from Pennsylvania to withdraw his objection, and I left several gentlemen with him who were trying to convert him. They were laboring with him for that purpose, but he seems not to have been converted. As he now seems to think there was some effort to impose a trick upon him, I ask the privilege of the House to withdraw my request.

Mr. BAKER, of New York. I hope in the interest of the clerks the gentleman from Pennsylvania will withdraw his objection, as the bill will have to be read by paragraphs—

Mr. SOWDEN. As I understand the bill has already been read in full, and will now be read by paragraphs for amendment, and as my rights have been recognized, I will withdraw my objection. [Applause.] All I desire is that we proceed regularly, so that this important piece of legislation may be carefully and intelligently considered.

Mr. BLANCHARD. I ask the bill be taken up and read by paragraphs for amendment; and that by unanimous consent the general debate be closed, and that the debate hereafter shall proceed under the five-minute rule.

There was no objection, and it was ordered accordingly.

The Clerk proceeded with the reading of the bill.

Mr. BOUTELLE. I understood this bill was to be read.

The CHAIRMAN. The bill is being read.

Mr. BOUTELLE. I know that, but it was to be read in its entirety.

The CHAIRMAN. It is being read now by paragraphs for amendment.

Mr. BOUTELLE. But I understood the bill was to be read in its entirety, and that was the cause of all this quarrel.

The CHAIRMAN. The objection was withdrawn, and the bill is now being read by paragraphs for amendment.

The Clerk read as follows:

Improving harbor at Hingham, Mass.: Continuing improvement, \$5,000.

Mr. BLANCHARD. I move to add the following:

Any part of which may, in the discretion of the engineer in charge, be applied to straighten the channel from the wharf to the end of Sarah's Island.

The amendment was agreed to.

The Clerk resumed the reading of the bill until line 104 was reached.

Mr. BRYCE. Mr. Chairman, in consideration of the fact that most of the New York members are absent attending the funeral of the late Senator Conkling, I ask unanimous consent that these items of the bill referring to New York be passed over informally, to be returned to hereafter.

Mr. BAKER, of New York. You have reference to the city of New York?

Mr. BRYCE. Yes, to the city.

The CHAIRMAN. Will the gentleman indicate the lines to which the request applies?

Mr. BRYCE. I have reference now specially to lines 104 and 105.

The CHAIRMAN. Is there objection?

Objection was made.

Mr. NUTTING. Mr. Chairman—

Mr. BLANCHARD. Will the gentleman from New York permit me a moment? I understand this request of the gentleman from New York is made on account of the absence of quite a number of the New York delegation who are specially interested in these appropriations for New York City and vicinity, and who are now absent attending the obsequies of Mr. Conkling; and he therefore asks only that these be passed over for the present, to be returned to hereafter. If the gentleman from New York has no objection, I wish to state that there is no objection on my part to acceding to the request.

Mr. NUTTING. I understand the gentleman to ask only that this item improving Buttermilk Channel, embraced in lines 104 and 105, be passed over. It should also include the item in regard to Gowanus Bay.

Mr. BLANCHARD. If the gentleman will allow me, I understand the request refers to those items relating to New York City and its immediate vicinity, for instance, this Buttermilk Channel improvement, Hell Gate Channel, improvements of the East and Harlem Rivers, Gowanus Bay, and Sheepshead Bay.

Mr. NUTTING. I understand. So far as I am concerned I have no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from New York that these several items be passed over informally for the present?

There was no objection.

The Clerk read as follows:

Improving breakwater at Rouse's Point.

Mr. BLANCHARD. Lines 102 and 103, as I understand it, are not included in the request of the gentleman from New York.

Mr. FARQUHAR. I will forego for the present offering any amendment to lines 102 and 103, relating to the harbor of Buffalo, as I will go to the body which first put in the appropriation, the Senate of the United States, and endeavor to have an amendment made there.

The CHAIRMAN. That portion of the bill is regarded as disposed of. The Clerk read as follows:

Improving harbor at Charlotte, N. Y.: Continuing improvement, \$25,000.

Mr. BAKER, of New York. Mr. Chairman, I offer the amendment I send to the desk, to come in at this point.

The Clerk read as follows:

Page 6, line 113, strike out the words "twenty-five thousand" and insert in lieu thereof the words "making necessary renewals of piers where broken or destroyed by the storms of the past year; for removal of the old guide piles; for necessary dredging, and for contingencies, as recommended, \$67,800."

Mr. BAKER, of New York. This amendment is in accordance with the recommendation of the local engineer. The Engineer-in-Chief recommended an appropriation of \$25,000 for continuing the work for the ensuing year, and that the amount could be made available and expended to advantage. The local engineer—I should say first in all fairness to the committee that they reported the whole amount recommended by the Chief Engineer—but the local engineer in his report in relation to it states in a letter which I have before me, bearing date of March 29, and which I shall ask consent to incorporate in full in my remarks, refers to this harbor, and says that it is absolutely necessary for the proper prosecution of the work of improvement and for the completion of it that the items recommended by him should be appropriated. I think the Engineer-in-Chief inadvertently recommended only \$25,000, although he writes a letter recently, stating that he thought \$25,000 was all that could be profitably expended during the ensuing year. He also states, however, that the whole amount recommended by the local engineer may be profitably employed in improvement and repairs necessary for this harbor.

Now, Mr. Chairman, the local engineer recommends for the ensuing year as follows: For necessary repairs, \$30,000. The exigency requiring this appropriation arises from the fact that during the past two seasons in consequence of storms the damage to the piers of this harbor has been very great, and hence it is necessary that the amount asked for and recommended by the local engineer, namely, \$30,000, should be appropriated. He also recommends for the removal of certain guide piles \$1,500, and for necessary dredging \$25,000. The report of the local engineer shows that during the past season (and I may say that I have seen this daily myself, having spent my summers there for some time past) in many cases vessels coming out of this harbor of Charlotte have struck upon the sand at the mouth of the harbor, and hence that this dredging is absolutely necessary.

This harbor has contributed to the Treasury in the past year a net revenue of about \$80,000. The imports during the year were \$499,000 and over.

Mr. KERR. What were the receipts of revenue there?

Mr. BAKER, of New York. The receipts of imports amounted to \$499,798.

Mr. KERR. That was not the customs receipts?

Mr. FARQUHAR. Oh, no; the total imports.

Mr. BAKER, of New York. The net revenues amounted to \$80,450.61. The total tonnage was 149,535 of arrivals and 146,181 of departures. The total number of vessels arriving 652, and departure 646. The business is exceedingly large. We have large lumber interests there and blast furnaces, extensive coal interests, shipping from the Pennsylvania mines and through a coal chute to vessels transporting it to the Canadian ports and to ports upon the south shore of Lake Ontario, shipping in this way immense quantities of coal from that harbor.

The demands of this district are so great and it is so strongly recommended by the local engineer as an appropriation for the chief port upon the south shore of Lake Ontario that I feel confident in asserting that if the amount had been indorsed by the Chief of Engineers there would have been no question about its allowance. The full amount recommended by the Chief of Engineers was allowed, and the only objection in the minds of the committee, I apprehend, is to having any change made in the item recommended by him.

UNITED STATES ENGINEER OFFICE, Oswego, N. Y., March 29, 1888.

SIR: I have the honor to acknowledge receipt of your letter of the 27th instant, a copy of which is herewith returned in accordance with your request.

The sum of \$25,000 has so little relation with my recommendations that I have no idea whether it is intended to leave out definite items or to make a general reduction. There will be available at the end of this month \$7,091.65, which gives a total a little less than two-thirds the amount of the estimated needs, taking account of the work done. Of the importance of this work there is little need that I should write you. The opinion which I have put on record (with the reasons therefor) in my report that Charlotte has better prospects than any other American port on Lake Ontario would make me especially regret any failure in this appropriation. Referring to my letter of January 6, 1887, the condition therein described is modified by the renewal in autumn of 1887 of 800 feet of the superstructure of east pier, as reported in my annual report, and by the renewal since the date of that report of 1,400 feet of that of the west pier.

Of the damage by storms during the winter of 1887-'88, a breach in the west face of the west pier 45 feet by 4 feet was repaired in connection with renewal of superstructure on that pier, and a considerable loss of stone from the east pier has also been repaired. The repairs made since my annual report are included in the estimate presented therein, and are paid for from the amount therein reported on hand, so that as regards the amount of money now needed I offer nothing which is not in my report. The work which has been done has cost about what it was estimated to cost, and both the amount of damage by storms and the progress of the work go to confirm my estimates. There is less work now needed and there is less money on hand; the amount of money really needed to be appropriated for the prosecution of the work as wise economy calls for is the same now as then.

With less than the amount estimated, either the piers can not have the full

renewal which they need, and the expensive method of petty patch-work with no permanent result to show for it must be adopted, or else no reserve can be held for dredging, and if the season should be one of low water the coal merchants must pay Welland Canal rates on their upper-lake shipments without being able to load in their own harbor for the full depth of the Welland Canal. The immediate saving which enters into either of these results can hardly be to the lasting profit of the United States.

I have the honor to be, very respectfully, your obedient servant,
CARL F. PALFREY,
Captain of Engineers.

Hon. CHARLES S. BAKER,
House of Representatives, Washington, D. C.

Annual report for fiscal year ending June 30, 1887, for improving harbor at Lake Ontario, N. Y.

Object.—To secure a navigable channel at the mouth of the Genesee River, on Lake Ontario.

Project.—The original project adopted in 1829, and executed between that date and 1834, was to obtain a channel 480 feet wide and 12 feet deep, formed and protected by parallel piers extending to deep water of the lake.

The present project, adopted in 1881, is to secure and maintain, by pier extension and dredging, a channel of navigable width and 15 feet depth at extreme low water.

No dredging has heretofore been done, the channel having been formed and kept open by the current of the Genesee River.

Present works.—First. West pier, 3,173 feet of crib work; being 230 feet, 10 feet wide, 805 feet with substructure 20 feet wide and superstructure 10 feet wide; cribs built prior to 1834, 10-foot superstructure built 1864, decayed to water-level; then 1,835 feet, 20 feet wide, cribs built in 1829-'34; superstructure rebuilt in 1864-'72, in need of renewal (this includes the old pier head); 303 feet, 20 feet wide, built in 1883-'84; in good condition.

Second. East pier, 3,323 feet of crib work; being 420 feet cribs, 20 feet wide, built in 1829-'34, and superstructure not renewed since that time, now under water; then 646 feet of cribs, 20 feet wide, with superstructure of same width; cribs built in 1828-'34; and superstructure renewed in 1864-'67; then 800 feet, cribs 20 feet wide, built in 1829-'34; with superstructure 20 feet wide, renewed in 1886; then 1,004 feet of cribs 20 feet wide, built in 1828-'34, with superstructure renewed 1868-'70; then 303 feet cribs and superstructure, 20 feet wide, all built in 1883-'84; then 150½ feet cribs and superstructure, 20 feet wide, built in 1884-'85. All the superstructure needs renewal except those parts above described as built since 1883.

Channel.—The present channel has a least width of 150 feet, with 13 feet depth at zero of gauge.

Operations.—The rebuilding of 800 linear feet of superstructure of east pier near present shore line, wrecked by storm in spring of 1886. This work was carried on subject to interruption by storm and ice. Owing to difficulty in obtaining stone much of that used in filling the new work was taken from the dilapidated portions of the pier well inside the present shore-line. The work was done by hired labor and materials purchased in open market, after advertisement by circular.

Operations closed December 22, 1886; they will be resumed when the stage of water permits. The present stage is 2½ feet above the level at which work must begin.

Gauge readings of water-level have been kept up at Charlotte three times daily during the year.

Remarks.—At this port, since the commencement of work in 1829, the shoreline has advanced against the west pier about 1,100 feet, against the east pier about 700. The land so formed on the west side has been improved and cultivated by the Ontario Beach Improvement Company, who have rebuilt along their river front the superstructure of about 500 feet of the old pier. Of the land formed on the east side a plat was given to the United States Life-Saving Service for their station, and they are now rebuilding superstructure on their river front, as well as protecting their lake front against encroachment by waves. The portions of the old pier occupied and those inshore therefrom are no longer essential to the harbor works.

In estimating repairs required I have, therefore, included only the portions lakeward from the new work mentioned. The old guide-piles (303) along the channel face of the piers, now decayed and broken to a little below water-level, have become a serious damage. Unless the water-level should be higher than usual during this season it will be necessary to do a considerable amount of dredging outside the entrance. The larger coal steamers were barely floated at the close of last season.

By its position on the lake, near the middle of the south shore, Charlotte has greater advantages in length of haul over the railroad lines which pass around the lake than any other port. As the lake port of Rochester (which city is the seat of all its business), it has also a wider railroad connection than any other port. It is also the only port having a direct communication with the principal mining regions of bituminous coal and making large shipments of that product. A small quantity is shipped from Great Sodus. The trade in this article extends as far east as Montreal. From its railroad advantages, its favorable position on the lake as regards length of run in doubtful weather, and its present control of bituminous coal shipments, I consider Charlotte to have the best prospects of all the American ports on lake Ontario, and the completion and maintenance of its harbor works to promise material benefit to commerce.

I can not but regard the comparative statistics, presented as required, as misleading. The tonnage of 1881 was exceptionally large. A full examination of the statistics of the years past shows a general increase, which is also observable in 1882-'87.

Recommendation: At this harbor I have the honor to recommend, first, maintenance of existing piers, lake sections, as above described; second, removal of decayed guide-piles; third, dredging to 15 feet at extreme low water, both between piers and across outer bar.

ESTIMATES.

For repairs.....	\$30,000
For removal of guide-piles.....	1,500
For dredging.....	25,000
Contingencies, 20 per cent.....	11,300
Total.....	67,800

MONEY STATEMENT.

July 1, 1886, amount available.....	\$2,605.48	
Amount appropriated by act approved August 5, 1886.....	26,250.00	
		\$28,855.48
July 1, 1887, amount expended during fiscal year, exclusive of liabilities outstanding July 1, 1886.....	7,948.50	
July 1, 1887, outstanding liabilities.....	167.60	
		8,116.10
July 1, 1887, amount available.....	20,739.38	
Amount (estimated) required for completion of existing project.....	72,750.00	
Amount that can be profitably expended in fiscal year ending June 30, 1889.....	67,800.00	

Submitted in compliance with requirements of section 2 of river and harbor acts of 1865 and 1867.

COMMERCIAL STATISTICS.

Name of harbor, Charlotte, New York.
 Collection district, Genesee, New York.
 Nearest light-house, Genesee, New York (at Charlotte), a fixed red light of the fourth order, on crib, 800 feet inside of outer end of west pier. Forts Niagara and Ontario, New York, are the nearest works of defense.

Amounts of commerce and navigation when the work of improvement began under the present project, in 1881.

Arrivals.		Departures.		Imports.	Exports.	Revenue collected, 1881.
No.	Tonnage.	No.	Tonnage.			
652	149,535	646	146,181	\$199,798	.....	\$80,450.61

Arrivals and departures of vessels during the fiscal year ending June 30, 1884.

Description.	Arrivals.		Departures.	
	Number.	Tonnage.	Number.	Tonnage.
Steamers.....	254	64,404	265	65,440
Sailing vessels.....	364	84,493	420	93,836
Total.....	618	148,897	685	159,276

Revenue from customs for fiscal year ending June 30, 1887.....	\$72,278.32
Value of imports same year.....	451,617.00
Value of exports same year.....	620,926.00
Greatest draught of vessels about 12 feet.	

Respectfully submitted.

CARL F. PALFREY,
Captain of Engineers.

I received yesterday your telegram of that date to my predecessor, Captain Maguire, relating to public works at Charlotte, N. Y., and replied to it as follows:

"Superstructure decayed and damaged: West pier, 1,900 feet, including 40 feet breached; east pier, 1,687 feet, including 276 feet breached, of which 800 feet has been repaired. Needed: For repairs, \$35,000; reserve for dredging if necessary, \$10,000; contingencies, \$10,000; total, \$55,000; on hand for next season, \$20,000."

Stating more fully the needs: The sections of superstructure referred to as decayed and damaged have been annually reported by my predecessors for several years past, as calling for immediate renewal. It has decayed from age, and, for the security of advantages to commerce already gained, should have been renewed long ago.

As soon as money was available and material could be collected I started work on the east pier which was in the worse condition. On December 22 the removal of 800 feet was completed, and work was closed, having, as I need hardly tell you, been carried on with special difficulty at this season. I think both piers will stand the winter, though the west is old and weak.

The money now available will put the west pier in fair but not in good condition, provided no dredging is needed in the spring. The last season was one of unusually high water and the coal-vessels were barely floated. A little lower water, with ordinary loading, would make dredging necessary, and then no repairs, of such thoroughness as to be economical, would be possible. It is of no use to bolt sound timbers to rotten ones, nor is it of much more to put timbers which ought to last ten or fifteen years into a work which may barely hold together two or three.

But the money now available can only be used for needed renewal, provided there is an appropriation for the next fiscal year. Otherwise such reserves must be kept on hand to meet the probable breaches by autumn gales that little or no general renewal of superstructure would be possible. In other words, if there is not money enough to make the whole pier sound and strong, I must wait for the storm to make a breach and then patch that. From the engineering point of view this policy is not economical. If the appropriation is not enough for the renewal of superstructure as per my telegram, there is little doubt that breaches will occur, the channel suffer, and the final cost of repair be greater.

I need hardly urge upon you the importance of a work in which you have already shown interest. I will mention, however, that of ports on the south shore of Lake Ontario (I write without knowledge of Cape Vincent) Charlotte is the second in its commerce, and shows an increase, while the majority of Ontario ports are on the decline.

I have written, in direct answer to your inquiry, of repairs and of the maintenance of present depth. I assume that the project of pier extension and of deepening the channel to 15 feet is known to you. The published reports of my predecessors are easily obtainable from the office of the Chief of Engineers.

If I can be of further service to you in this matter, command me.

I have the honor to be, very respectfully, your obedient servant,
CARL F. PALFREY,
Captain of Engineers.

Mr. BLANCHARD. The amendment offered by the gentleman from New York proposes to increase the appropriation for the harbor of Charlotte from \$25,000, as it stands in the bill, to \$68,700. That is a large increase. I will state to the Committee of the Whole that the Committee on Rivers and Harbors when considering the Charlotte Harbor gave it every dollar that the Chief of Engineers asked for as the amount that could be properly expended in the fiscal year ending June 30, 1889. However, Mr. Chairman, the committee at the request of the gentleman from New York addressed a communication to the Chief of Engineers and asked his idea touching the amount appropriated for the harbor at Charlotte. His reply I hold in my hand and I send it to the Clerk's desk to be read, because I believe it to be a conclusive answer to the argument of the gentleman from New York when he states there is no exigency existing why this increase should be made.

The Clerk read as follows:

OFFICE OF THE CHIEF OF ENGINEERS, UNITED STATES ARMY,
Washington, D. C., April 3, 1888.

SIR: In reply to your letter of yesterday's date, I beg leave to state that in submitting an estimate of \$25,000 as the amount that could be profitably expended at Charlotte Harbor, New York, during the fiscal year ending June 30, 1889, the recommendations of the officer in charge of the work were duly considered, which were:

1. The maintenance of existing piers;
2. The removal of decayed guide-piles; and
3. Dredging to 15 feet at extreme low water.

There was a balance on hand at the beginning of the present fiscal year of \$20,739.38; of this amount there has been expended to date in repairs to existing works \$13,671.80, leaving a balance of \$7,067.58 still applicable to the maintenance of existing piers and the removal of the decayed guide-piles.

The \$25,000 asked for is to be applied, as far as possible, to dredging operations during the next fiscal year, and although the full amount of the estimate of \$67,800 made by the officer in charge could be expended to advantage during the next fiscal year, should it be the pleasure of Congress to grant it, it should be borne in mind that in the preparation of these estimates the requirements of the whole service of rivers and harbors were taken into consideration, and that there is no special urgency existing in the condition of this harbor that would require an apportionment of public funds in excess of the numerous similar instances existing of reduction, for public reasons, of estimates for funds that might otherwise be expended to advantage.

Very respectfully, your obedient servant,

J. C. DUANE,
Brigadier-General, Chief of Engineers.

Hon. N. C. BLANCHARD,
Chairman Committee on Rivers and Harbors,
United States House of Representatives.

Mr. BLANCHARD. That letter, I submit, shows that the appropriation of \$25,000 for the harbor of Charlotte, which is the full amount the Chief of Engineers asked for, is sufficient to meet the exigencies of repairs at that harbor and to continue the work of improvement there. I submit, therefore, that the amendment presented by the gentleman from New York ought not to be adopted.

Mr. BAKER, of New York, rose.

The CHAIRMAN. Debate on this amendment has been exhausted.

Mr. JOSEPH D. TAYLOR. I move to strike out the last word, and yield my time to the gentleman from New York [Mr. BAKER].

Mr. BAKER, of New York. In reply to my friend from Louisiana I beg to emphasize that portion of the letter of the Chief of Engineers which states:

The \$25,000 asked for is to be applied, as far as possible, to dredging operations during the next fiscal year, and although the full amount of the estimate of \$67,800 made by the officer in charge could be expended to advantage during the next fiscal year should it be the pleasure of Congress to grant it, etc.

Now, as a business proposition, recognizing the fact that this harbor turns into the Treasury two or three times the amount asked for in this amendment, it seems to me there should be no hesitation on the part of the House in following the recommendation of the local engineer, who has examined the necessities of this harbor, has been on the ground, and knows all about them, while the Chief of Engineers knows nothing about them. He takes the recommendations of the local engineers and arbitrarily cuts them down. He has done so in this case. The committee have wisely under their rule given all they could of the recommendation of the Chief of Engineers.

Now, I ask, in the interest of commerce and justice to this harbor, which is the second on the south shore of Lake Ontario, that the amount recommended by the local engineer as necessary, not only for the dredging to be carried on under the recommendation of the Chief of Engineers, but for the necessary repairs in consequence of the devastating storms of the past winter and the winter before, shall be granted.

This is a matter of business. We are not asking to have money from the Treasury put into a new enterprise, but it is to consummate, complete, and carry on to perfection the work now in progress.

Mr. SOWDEN. Will the gentleman allow me one word?

Mr. BAKER, of New York. Yes, sir.

Mr. SOWDEN. I understand the Chief of Engineers recommends the amount appropriated by the bill through the committee, and states that that amount only can be profitably expended—that is to say, \$25,000—within the next fiscal year. Is that true?

Mr. BAKER, of New York. I thank the gentleman from Pennsylvania for the suggestion. The Chief of Engineers does not say that that amount only can be profitably expended. He says:

And although the full amount of the estimate of \$67,800 made by the officers in charge could be expended to advantage during the next fiscal year, should it be the pleasure of Congress to grant it—

And he goes on to say that in view of the demands of other localities, where new enterprises, perhaps, are being undertaken, there is not a special urgency existing in this case.

Mr. SOWDEN. But the letter submitted by the chairman of the committee says—

Mr. BAKER, of New York. It is that letter from which I have just been reading. I will read the balance of the sentence in the words of the letter of the Chief of Engineers:

It should be borne in mind that in the preparation of these estimates the requirements of the whole service of rivers and harbors were taken into consideration, and that there is no special urgency existing in the condition of this harbor that would require an apportionment of public funds in excess of the numerous similar instances existing of reduction, for public reasons, of estimates for funds that might otherwise be expended to advantage.

Mr. SOWDEN. What does he say with reference to the expenditure of the \$25,000?

Mr. BAKER, of New York. Just as I read it, that—

The \$25,000 asked for is to be applied, as far as possible, to dredging operations during the next fiscal year, and although the full amount of the estimate of \$67,800 made by the officer in charge could be expended to advantage during the next fiscal year.

Mr. SOWDEN. Does he not also state somewhere in that letter that the \$25,000 appropriated in this bill is all that could be profitably expended on that work this year?

Mr. BAKER, of New York. He does not state that or anything like it in substance or effect.

This appropriation has been urgently recommended by the Rochester Chamber of Commerce. Their memorial was referred to that committee. It is not only a matter of importance to the city of Rochester, but to the State of New York and to the commerce of the Union generally.

I wish also to call attention to the fact that the last river and harbor bill, which failed to pass at the last Congress, carried \$35,000, which was an increase over this.

The question was taken on the amendment of Mr. BAKER, of New York, and it was rejected—ayes 43, noes 81.

Mr. BAKER, of New York. No quorum. [Cries of "No!" "No!" "Do not do that!"]

Mr. BAKER, of New York. Well, Mr. Chairman, I think it is rather cruel, but at the instance of our friends on the other side I withdraw the point.

The Clerk read as follows:

Improving harbor at Dunkirk, N. Y.: Continuing improvement, \$15,000.

Improving harbor at Flushing Bay, New York: Continuing improvement, \$15,000.

Mr. BOUTELLE. Mr. Chairman, I move to strike out the last word. I presume, sir, that not a dozen members of the House were aware of any intention to bring this bill up to-day. There are certainly absent from the House at this time quite a number of members who are known to be opposed to this bill. I was called out myself a few moments ago, and on my return found pending an objection to dispensing with the reading of the bill. I heard the gentleman from Pennsylvania [Mr. SOWDEN] complaining that undue advantage had been taken of him to get this bill put in a more forward stage than it was entitled to. The Chairman permitted the gentleman's objection to stand because it was the desire of the Chair to avoid any appearance of taking advantage of the House. I understood, and I presume most members of the House understood, that that decision required the reading of the bill to be proceeded with, but to my surprise I learned a few moments later that the difficulty had been composed and that the bill had been "railroaded" through all the preliminary stages; that all the preliminary debate had been waived under the rules, and that we were launched upon the consideration of the bill by paragraphs. Now, there must be some object in this precipitancy.

Several MEMBERS. There is—to pass the bill. [Laughter.]

Mr. BOUTELLE. To pass the bill, undoubtedly, and the gentlemen who have furnished that reason are probably the gentlemen who are particularly interested in the passage of the bill.

Mr. FARQUHAR. They are.

Mr. BOUTELLE. Mr. Chairman, I propose now to suggest some reasons why those gentlemen are so anxious to have this bill passed. It is a very remarkable measure in many of its aspects. Here is a bill appropriating almost \$20,000,000 of the public money, and yet a House which has been so jealous of appropriations that it has repeatedly spent hours in debating measures involving a few thousand dollars rushes to the discussion—not to the discussion but to the passage—of this bill without a single word of explanation on the part of anybody as to its character, or as to the reasons which have actuated some of its most remarkable provisions, without any argument being offered to the House or the country why we should add \$20,000,000 to the appropriations of this Congress for the purposes provided for in this bill; \$20,000,000 in the aggregate, to be applied for various works upon rivers and harbors in behalf of which gentlemen on that committee have been lobbying and beseeching members in this House the past week or ten days to consent that the bill should be passed under a suspension of the rules. Perhaps, Mr. Chairman, the special zeal of the gentlemen who form the *personnel* of that very able, and certainly, so far as this bill is concerned, very efficient, Committee on Rivers and Harbors is explained by the fact that out of the aggregate of about twenty millions they have appropriated to the States which they represent the modest sum of \$13,326,000. That statement, sir, is inside of the limit, because there are various general improvements which also are for the benefit of the States represented by those gentlemen. Those appropriations are not included in these figures, but to their own States they have appropriated nearly fourteen millions out of the twenty millions carried by this bill.

The CHAIRMAN. The time of the gentleman from Maine [Mr. BOUTELLE] has expired.

Mr. KEAN. I renew the amendment, Mr. Chairman, and yield to the gentleman from Maine [Mr. BOUTELLE].

Mr. BOUTELLE. Mr. Chairman, there is a remarkable geographical distribution in this bill. The figures which I give are the result of a very hasty and cursory examination, but such an examination as I have been able to give the bill satisfies me that the more it is examined the more its beauties will be developed. I find that the States of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Tennessee, Texas, Virginia, and South Carolina, twelve States, receive by direct appropriation an amount which, added to the amounts that will be expended within their limits on the Lower Mississippi River, aggregates \$7,831,000. Here are twelve of the States of this Union, less than one-third of the number, which receive that large amount of money, and many of them are States with little or no seacoast States in which these appropriations are to be expended for the improvement of rivers, creeks, and minor streams in the interior. I find on examination that the entire appropriation for the improvement of the rivers and harbors of New England, with its great extent of coast line, amounting to thousands of miles, with its innumerable harbors and estuaries, and with its enormous commerce, is the magnificent sum of \$908,000; while there is more than \$1,000,000 appropriated for one or two harbors in the single State of Texas.

I find, Mr. Chairman, while, as the gentleman from New York [Mr. Cox] stated the other day with such emphasis and force, the great imperial harbor of our national coast, the harbor of New York, has been almost entirely neglected in these appropriations, yet for two rivers, the Missouri and the Mississippi, the appropriations aggregate nearly five millions of dollars.

Mr. Chairman, I have not time in this five-minute debate to go into an elaborate analysis of this remarkable bill. As the bill progresses I propose to call attention to some of the details of its provisions. At the outset of its consideration, in default of any general discussion of a measure involving this enormous amount of expenditure, I have deemed it my duty to call attention to these remarkable features of this appropriation bill.

[Here the hammer fell.]

Mr. BLANCHARD. Mr. Chairman, the Committee on Rivers and Harbors did not desire to occupy the valuable time of the House in any general discussion of this bill. We preferred results to "buncombe." In order to economize time and to make as much progress as possible, we desire to go at once into the consideration of the bill by paragraphs.

Mr. Chairman, when the gentleman from Maine [Mr. BOUTELLE] rises and states that the great harbor of New York has received in this bill what he is pleased to term a "miserable pittance," I must say to him that I fear he has not read either the bill or the report. If he had read the report which I hold in my hand it would have shown to him, as it has shown to every one who has read it, that there is in the bill an aggregate for the harbor of New York of \$835,000, and for the Empire State of New York appropriations, all told, amounting to more than \$1,500,000. And when the gentleman criticises the appropriations made in this bill for the New England States I will inform him that that section of country had upon the Committee on Rivers and Harbors a gentleman whose fidelity and ability in the discharge of his duties can not be questioned by the gentleman from Maine or any one else; and when I tell the House that the allotments made for the New England States were and are entirely satisfactory to that gentleman, I do not think the House will be disposed to agree with the gentleman from Maine that the New England States have been unfairly treated in this bill.

Mr. Chairman, the gentleman has made other mistakes. He has stated that over \$13,000,000 of the appropriations in this bill are for the States that had representatives on the Committee on Rivers and Harbors. To arrive at that amount, I presume my friend from Maine credited to some States that had representation upon the committee the very large appropriation in the bill for the Mississippi River from the Falls of St. Anthony to its mouth, and for the Missouri River from Fort Benton to its mouth—more than 3,000 miles. The gentleman also includes in his statement \$1,500,000 which this bill carries for that channel of communication between Lake Superior and Lake Michigan, known as the St. Mary's River, through which there passes more than four times as much commerce as all of our foreign commerce put together amounts to. And when a gentleman proposes to credit the State of Michigan with that appropriation, it is only necessary, in order to show how very much he is mistaken, that I should point out that no water way of this country is more national in character than that.

Again, the gentleman states that for the Mississippi and Missouri Rivers there are appropriations amounting to over \$6,000,000, or nearly \$7,000,000.

Mr. BOUTELLE. I did not state that.

Mr. BLANCHARD. How much did the gentleman state?

Mr. BOUTELLE. I said about \$5,000,000.

Mr. BLANCHARD. Now, Mr. Chairman, the report which I hold in my hand shows that the Mississippi River, from its headwaters to its mouth, receives \$3,392,850, and the Missouri River, all told, \$694,000, making, instead of five or six millions, as the gentleman puts it, only about \$4,000,000. I commend to my friend from Maine the bill and the report before he passes upon this measure any more criticisms such as that.

[Here the hammer fell.]

Mr. BOUTELLE. Mr. Chairman, I beg to state to my distinguished friend from Louisiana [Mr. BLANCHARD] that there can not be much dispute on a question of mathematics in adding up the appropriations of this bill; and I do not propose to be finical about that. I have made the calculation of the amounts of appropriation, and my figures show the appropriations for the Mississippi River to be \$4,212,850; and, with all due respect to the gentleman, I am inclined to think I am correct. My figures show the appropriations for the Missouri River to be \$727,500, which I believe to be also correct. The aggregate of these two sums is \$4,940,350, or about \$5,000,000. So that I was not very far out of the way.

The gentleman questions my estimate or my statement of the amount absorbed by the members of the Committee on Rivers and Harbors.

I desire to say, Mr. Chairman, it is no part of my purpose to reflect on any gentleman of this House. Every man is here on his oath; every man is here to look after the interests of his constituents.

My impression, derived from the sessions of two Congresses, and the general impression of the House, has been as to the membership of the Committee on Rivers and Harbors—that gentlemen go there to look after the special interest of their localities. The House recognizes that to be true of the River and Harbor Committee in a more pointed sense than of any other committee of this House. I make no reflection; I am only stating a fact.

I have made a computation. The gentleman says I am in error in crediting to the committee the appropriation for the entire length of the Mississippi River. I beg the gentleman's pardon when I correct him; I have not made any such mistake, and that gentleman is hardly better able to make verification of my figures than myself.

And I will say that I am not entirely geographically ignorant about the Mississippi River. I have seen the river at its mouth and at various points from the Falls of St. Anthony down. I have learned the difference between the Upper and the Lower Mississippi. I have not credited the committee with the appropriation for the Upper Mississippi. I have simply credited it with the \$3,024,600 for the Lower Mississippi, all of which passes through the States of the members represented on that committee. I would not have done injustice to have added a considerable slice of the appropriation for the Upper Mississippi, for the reason that the appropriations for that part of the river will also inure in large degree to the benefit of States represented on that committee.

My figures show, on the part of these gentlemen, a regard for their localities which, perhaps, is creditable to them, and for which I have no doubt their constituents will give them credit. Out of an aggregate appropriation of \$19,494,783 the States represented by members on the committee have allowed themselves the very liberal share of \$13,326,700.

The CHAIRMAN. The gentleman's time has expired.

Mr. CHEADLE. I will take the floor and yield my time to the gentleman from Maine [Mr. BOUTELLE].

Mr. BOUTELLE. I thank the gentleman for his courtesy.

Now, Mr. Chairman, as there may be some criticism made of these figures I will give them in detail.

The State of Louisiana receives \$315,500 outside, I beg my friend to observe, of what accrues to that State from the Mississippi River appropriations; Alabama gets \$412,000; Texas, \$1,012,500; Mississippi, \$126,000; Virginia, \$537,500; West Virginia, \$409,700; Maryland, \$300,500; Michigan, \$2,183,300.

At that point I desire to observe that I am well aware those appropriations do cover, as the gentleman says, improvements which are of great interest and value to all parts of the country, but I submit there is a probability that in these figures for the improvement of the country at large the State of Michigan has not been neglected. It has \$2,183,300, or about three times the amount appropriated for New England.

California receives \$499,900; why they did not make it an even \$500,000 I do not know. Illinois, \$510,400; Pennsylvania, \$595,000; Ohio, \$1,039,000; New York, \$1,570,800.

I desire to say, if my friend from Louisiana is as successful in persuading the gentleman from New York City [Mr. Cox], as he seems to be in persuading himself, that the great harbor of New York is liberally treated in this bill, he will be fortunate. One million five hundred and seventy thousand dollars have been given to the State of New York, but the great harbor of New York and the great sea-way channels of New York have received but meager recognition.

The great bulk of the appropriations for New York State in this bill are interior, and not to the harbor of New York. They are above the city in the northern and central portions of the State. They are very properly appropriated, no doubt, and will probably do much good; but the fact remains that these appropriations, while they may be worthy in themselves, do not account for or excuse the fact that the committee neglected to make a provision so long demanded by the commerce of the whole country, and in the interest of the whole country, for improvements upon a grand scale in the harbor of New York.

Again, in this bill we find Wisconsin \$414,000 and Massachusetts \$378,000, aggregating, as I said before, without crediting the appropriations upon the Upper Mississippi River, \$13,326,000 to States represented by members of the Committee on Rivers and Harbors.

Now, my friend from Louisiana [Mr. BLANCHARD] can not get up

a family difficulty between myself and the gentleman from Massachusetts, who represents New England upon the committee; and if he is satisfied and all the rest of New England are satisfied and the Committee upon Rivers and Harbors are satisfied, I do not know that it will make very much difference whether I am satisfied or not. But I desire to reiterate here my opinion that in a river and harbor bill aggregating \$19,500,000 for the improvements requisite to facilitate the commerce of this country, the sum of \$900,000 is a meager and miserable allowance to the great coast lines and harbors and rivers of New England.

I withdraw the *pro forma* amendment.

Mr. NUTTING. Mr. Chairman, I desire to move an amendment to strike out the last line.

I think, sir, for at least three times since this river and harbor bill has been reported to the House for consideration the action of the committee in reference to the great harbor of the city of New York has been called in question in terms not altogether complimentary to myself, and as the only member on that committee from the State of New York at this time, it is proper that I should make fitting response.

Now, I desire to call the attention of the House, and I think I am entitled to do so, to the exact state of facts in regard to this harbor. Nobody is going to dispute the fact that the State of New York has a great harbor. I believe that port collects about 66 per cent. of all the customs duties collected at all the ports of the United States; so, that the city of New York is entitled to a liberal consideration, there is no sort of question whatever. But I want to assert here, and I am able to prove it from the facts, that it has received proper consideration at the hands of the Committee on Rivers and Harbors.

The gentleman from Maine [Mr. BOUTELLE] says that a few thousand dollars have been dropped around here and there in New York State, amounting to some four or five hundred thousand dollars. Well, I should say—

Mr. BOUTELLE. The gentleman is mistaken; I did not say anything of the kind.

Mr. NUTTING. Well, you said it was scattered around here and there in different projects throughout the State of New York, outside of the city, but that the great channels, the great water ways of the city, had been treated miserably. In substance you said that. Now, I undertake to say that there is not a word of truth in that; and I have, I think, good foundation for the assertion.

Mr. BOUTELLE. I am very much obliged to the gentleman for his interpretation of my language.

Mr. NUTTING. We will see whether I am correct or not as I proceed.

Mr. Chairman, there are two great channels, two great water ways in the city of New York, especially great, or three we will say. The first is what is known as Buttermilk Channel, New York harbor proper, and Hell Gate in East River. What did the committee do in reference to them? But first, what did the committee find when it proceeded to consider them? We have to-day, Mr. Chairman, for these projects on hand, or had on the 1st day of April, 1888, for the improvement of Hell Gate and East River, \$30,775 of an unexpended appropriation. This was on hand before the committee commenced to deal with the subject. Then on a recommendation of \$500,000 by the Chief of Engineers an appropriation of \$250,000 more was given. So much for East River and Hell Gate. What do we find in regard to the main harbor of the city of New York? We find that for the great harbor of the city of New York, on the 1st day of April—this month—there was on hand in the Treasury of the United States already appropriated to this work, and this particular spot, in the great harbor, \$666,683.36. Well, did we stop here, and say that is enough? Did we say that a river and harbor bill which had been in existence for two years, and which left this amount unexpended—two-thirds of the whole amount appropriated on hand—was enough, and that we would do nothing more? Not at all. The Committee on Rivers and Harbors, on a recommendation of \$540,000, have appropriated for this particular spot \$380,000 more. So that to-day, if the House should pass this bill, the particular spot the gentleman says is the great highway of commerce of the city of New York would have more than a million of dollars ready to be used in its improvement.

[Here the hammer fell.]

Mr. CATCHINGS was recognized, and yielded his time to Mr. NUTTING.

Mr. NUTTING. Now, the gentleman from New York the other day, and I am sorry he is not here—I allude to Mr. Cox, and I refer to him for he is usually a fair man and a friend of mine—referred to another project in this city, namely, the Harlem River improvement. He said it was of great importance. I admit it. This Congress, with a generosity only commensurate to the magnitude of the work to be commenced, appropriated in 1878 \$300,000 for that project. This project is entered upon for the purpose of allowing the commerce which comes from the great West to the city of New York, and which is intended to go out upon the sea and over the ocean, to have free egress to the ocean; and hence this is a work of more than mere local magnitude.

The committee rose informally, and the following reports were submitted.

ROCK CREEK RAILWAY COMPANY, DISTRICT OF COLUMBIA.

Mr. HEARD, from the Committee on the District of Columbia, reported back the bill (H. R. 1017) to incorporate the Rock Creek Railway Company of the District of Columbia, with the recommendation that the House non-concur in the amendments of the Senate and ask for a committee of conference.

ECKINGTON AND SOLDIERS' HOME RAILWAY COMPANY.

Mr. HEARD also, from the Committee on the District of Columbia, reported back the bill (H. R. 6899) to incorporate the Eckington and Soldiers' Home Railway Company of the District of Columbia, with the recommendation that the House non-concur in the amendments of the Senate and ask for a committee of conference.

RIVER AND HARBOR BILL.

The committee resumed its session.

Mr. NUTTING (continuing). In 1878 Congress appropriated \$300,000 for that project. Have you expended it? Not a dollar of it, even to this day. That \$300,000 was on hand when we commenced our work upon that committee.

More than that, Mr. Chairman, in 1879 the committee began with this \$300,000 in the Treasury available, and appropriated another \$100,000, making \$400,000 for Harlem. And yet gentlemen say the city of New York, with the great water ways around it, have been used meanly. Those gentlemen are desirous of creating a sentiment which the facts do not warrant, or else they have not been properly informed as to what has been appropriated for those projects. What did we do with Harlem? Upon the basis of having \$400,000 on hand for that project, a work on which not a shovelful of dirt had been removed, or a single rock loosened, our committee in this bill gave \$150,000 more, making \$550,000 on hand for Harlem at this time. And yet gentlemen from New York seek to create the impression that the harbors of New York city have been left unattended to. They do not do themselves credit, and, unthinkingly, perhaps, they have been unfair to me, the only member from the State of New York on that committee.

Another thing. There has been a hint, merely a hint, but a man is sensitive even to a hint when it relates to his own home, in talking of the inadequate appropriation for the harbors around the city of New York, that the harbor of Oswego has been given too much.

Mr. BOUTELLE. Allow me to suggest to the gentleman that that statement was made by a member who is not now present.

Mr. NUTTING. Did you not say it?

Mr. BOUTELLE. I did not.

Mr. NUTTING. You came very near it.

Mr. BOUTELLE. Well, you can shoot at the "very near;" but when you shoot at that statement I wish you to understand that you are shooting at a gentleman who is absent.

Mr. NUTTING. Oh, when I shoot I will shoot with some object and at some object worthy of shot. [Laughter.]

Now, Mr. Chairman—

The CHAIRMAN. The time of the gentleman has expired.

Mr. ALLEN, of Michigan. Mr. Chairman, I move to strike out the last word, and I yield my time to the gentleman from New York [Mr. NUTTING].

Mr. NUTTING. Mr. Chairman, I do not wish to be heated or excited about this matter or to misstate facts. If you will look at the figures which have been given to us here by the compiler of commercial statistics of the Treasury Department showing moneys collected as customs at the ports in the United States you will find and these gentlemen will find that the city of New York collected \$144,000,000, of all that was collected in the United States in 1887. You will find in that same line Boston, San Francisco, Philadelphia, Baltimore, Chicago, New Orleans, Buffalo, Vermont, and then, Mr. Chairman, with great pride I say, you will find Oswego Harbor the tenth in importance in the amount of money which it collects and pays into the Treasury of the United States.

If you take the last seventeen years of collections of customs—and that is long enough to test any question, if a man is fair, and I take it that gentlemen desire to be fair here when they get down to it and are not heated or prejudiced—if you take the last seventeen years of collection of customs duties, you will find that the great city of New York has collected in that time the enormous sum of more than \$2,000,000,000, which has been poured into the Treasury of the United States. That is so grand a result that it is almost incomprehensible; but when you go along to Buffalo you will find that in the same time there has been collected there about \$11,000,000 in duties, and when you come to Oswego you will find that she has collected and paid into the Treasury of the United States during the seventeen years last past, to be drawn against for the improvement of other harbors, nearly \$12,000,000. Now, Mr. Chairman, gentlemen make a mistake when they talk here about these appropriations for rivers and harbors being the projects of particular States or locality.

They are unfair to their own good sense, they are unfair to the country, because every project of that character in the United States worthy of an appropriation is the project of every locality, State, and individual in the country. The harbor of New York does not belong to

New York alone. All the States in the Union pay tribute to it, as their products go through it and out upon the sea and over the sea. So at Buffalo, so at Oswego, and so at all the other commercial points. These projects are great national projects. Gentlemen talk about the Mississippi River, and some may be disposed to talk flippantly about the harbor of New Orleans, and to laugh at the idea of calling New Orleans a harbor at all; yet they will find upon examination that in the value of the products exported during the last year, New Orleans comes second upon the list of our ports—New York first, New Orleans second.

[Here the hammer fell.]

Mr. BLANCHARD. It is now within five minutes of the time when the House, under previous order, will take its recess. I therefore move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. McMILLIN reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 9050) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and had come to no resolution thereon.

ORDER OF BUSINESS.

Mr. SPRINGER. I desire to offer a resolution and ask unanimous consent for its adoption, giving this evening session to the Committee on Rivers and Harbors, and to-morrow night to pension business.

Mr. BOUTELLE. I object to setting aside pension night for the river and harbor bill.

Mr. SPRINGER. Then I will withdraw the resolution.

GEORGETOWN BARGE, DOCK, ELEVATOR, AND RAILWAY COMPANY.

Mr. COMPTON, from the Committee on the District of Columbia, reported back a bill (H. R. 6129) to incorporate the Georgetown Barge, Dock, Elevator, and Railway Company; which was laid upon the table.

He also reported a bill (H. R. 9581) to incorporate the Georgetown Barge, Dock, Elevator, and Railway Company; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

RIGHT OF WAY THROUGH INDIAN TERRITORY.

Mr. SHIVELY, from the Committee on Indian Affairs, reported, as a substitute for House bill 1203, a bill (H. R. 9582) to grant to the Fort Smith and El Paso Railway Company a right of way through the Indian Territory; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

House bill 1203 was, by unanimous consent, laid on the table.

A. N. KIMBALL AND OTHERS.

Mr. OATES, by unanimous consent, reported from the Committee on the Judiciary a substitute for House bill 7151, for the relief of A. N. Kimball and sureties on his official bond as a receiver of public moneys; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

REAL ESTATE IN DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, by unanimous consent, reported back favorably the bill (S. 2307) to correct the records of the District of Columbia relative to certain real estate therein; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

DUTIES OF COMMON CARRIERS.

Mr. ANDERSON, of Kansas (by Mr. MORRILL), introduced a bill (H. R. 9600) to declare the duties, enforce the obligations, and regulate the service of railroad companies as carriers of interstate commerce, and for other purposes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

Mr. DOCKERY. I move that the House now take a recess until 8 o'clock, for the consideration of pension business under the special order.

The motion was agreed to; and accordingly (at 4 o'clock and 58 minutes p. m.) the House took a recess.

EVENING SESSION.

The recess having expired, the House reassembled at 8 o'clock p. m., and was called to order by Mr. McMILLIN, who directed the reading of the following communication from the Speaker:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,

Washington, D. C., April 20, 1888.

SIR: Hon. BENTON McMILLIN is designated to preside as Speaker *pro tempore* at the session of the House this evening.

J. G. CARLISLE.

Hon. JOHN B. CLARK, JR.,
Clerk House Representatives.

ORDER OF BUSINESS.

Mr. PIDCOCK. I move that the House resolve itself into Commit-

tee of the Whole House for the consideration of bills under the special order.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. DOCKERY in the chair.

FRANCES ANNE PYNE RICKETTS.

The CHAIRMAN. The House is in Committee of the Whole under the special order for the Friday evening session. The Clerk will report the first bill.

The Clerk read the title of the first pension bill on the Calendar, as follows:

A bill (S. 393) for the relief of Frances Anne Pyne Ricketts.

Mr. CHEADLE. Mr. Chairman, I shall object to the consideration of this bill for reasons which I gave on last Friday evening. I do not wish to be an obstructionist, yet I am not willing that bills of this class shall be passed, unless in a House with a constitutional majority present.

Mr. RANDALL. I hope the gentleman from Indiana will not object to the consideration of this bill. I have heretofore permitted it to be postponed many times, because I did not wish to interfere with bills in which other gentlemen felt an interest. The time has come, I think, when we should be permitted to have a vote on this bill.

Mr. CHEADLE. I am perfectly willing, so far as I am concerned, that an agreement be made by which a limited time may be allotted for debate on this question, and after that the previous question be considered as ordered, and a vote taken in the House. But, sir, I have convictions on this question of class legislation; and while I have profound respect for my distinguished friend from Pennsylvania—

Mr. RANDALL. As I have for you.

Mr. CHEADLE. I can not waive my convictions on a question of this kind. If I could have waived them in favor of any person on earth, I would have done so in the case of the widow of General Logan.

But, Mr. Chairman, I hope that other men who volunteered to save our temple of constitutional liberty volunteered from the same motives that I did—that we might preserve this Government, under which every citizen is guaranteed absolute equality before the law.

There is now pending in this House a proposition to pension the widows of the men whose health was broken down in the war at so low a rate of pension as \$7.20 a year, and from that amount up to \$144 a year. And so long as I remain a member of this body the widow of no soldier who died in defense of the Government or from disease contracted in the war shall be pensioned at a greater rate than that allowed by law. The laws of this Government have fixed the rate of pension for the widows of enlisted men, and also for the widows of all officers above the grade of lieutenant-colonel. The widow of a lieutenant-colonel is given two-and-a-half times as much pension as the widow of an enlisted man.

And, Mr. Chairman, I say that under the spirit of our institutions that is a distinction great enough, and so long as one hundred thousand claims of my comrades are pending, men broken in health, living in penury and want, before Congress, and pending there for years, I will not permit the consideration of one bill of this class except it will be in the presence of a constitutional majority of this House.

Mr. RANDALL. Mr. Chairman, I do not object to the views of the gentleman. He is the custodian of his own judgment as well as his own acts; but it is a hardship that there should be a distinction and a discrimination made against a particular bill.

General Ricketts was a hero in three different wars; ay, more than that, the very woman whom we propose to pension here was herself a soldier in the Army of the Union, both under fire and in the capacity of nurse. But I am content with the suggestion of the gentleman from Indiana. If he will permit fifteen minutes' debate, pro and con, on this subject in the House on a Friday, I am content to let the matter go over and into a full House.

Mr. CHEADLE. To that I am perfectly willing to give my consent.

Mr. McMILLIN. Mr. Chairman, if the previous question is ordered this bill comes up to-morrow.

Mr. RANDALL. I prefer not to make any arrangement that will interfere with the business of the House on any other day than Friday.

Mr. McMILLIN. But the rules of the House can not be varied by our consent or action here in committee; and I for one would object to any proceeding which would permit any bill of this character to interfere with the public business of the House, which is now so far behind.

Mr. RANDALL. I will make the suggestion to the gentleman from Indiana, for between the two gentlemen I find I am to be under cross-fire in this connection—

Mr. McMILLIN. Permit me to interrupt the gentleman. I only spoke in behalf of the public business in the House, which I want to further and have been trying to further, without regard to any particular matter which may be under consideration, during the whole of this session.

Mr. RANDALL. I do not accept the suggestion of the gentleman from Tennessee that we can not agree here to have this go over and into House on Friday; because the committee has over and over again

agreed upon such course as to other bills which have been so carried over; and I will on to-morrow myself, if there be any impediment such as the gentleman from Tennessee indicates, then ask consent of the House that the bill shall go over until Friday.

Mr. McMILLIN. And a single objection would force the House to a discussion of a half hour, and then a yea-and-nay vote, which consumes an hour of the time to be devoted to public business, when the time is so much in demand and the business so far behind.

Mr. RANDALL. I do not want a word of discussion as far as I am concerned. I am willing to rest upon the report of the committee and say not a word. I suggested fifteen minutes on either side only because the gentleman from Indiana had indicated that there might be a desire for debate in opposition to the bill.

Mr. BINGHAM. I desire to say to the gentleman from Pennsylvania as well as to my friend from Tennessee [Mr. McMILLIN] that it has always been the history of cases of this character that have gone over on Friday nights that fifteen minutes' discussion has been had, and I do not see why there should be an exception in this case.

Mr. McMILLIN. I do not object to the discussion suggested. I think such a bill, if passed at all, ought to be discussed. But I am trying to avoid any interference with the public business, which ought to be advanced and which is so unusually far behind. I am objecting to have the time of the House taken up with these matters. I have no feeling in regard to the question at all, except to do what I have been trying to do for weeks—advance the public business; and I think that all things of this character should be made subservient to it.

Mr. RANDALL. The gentleman from Tennessee is not the only member of the House who is advancing the public business.

Mr. McMILLIN. I don't claim to be.

Mr. RANDALL. Others are as anxious as he.

Mr. McMILLIN. And I am glad to know that we will have the assistance and co-operation of my distinguished friend from Pennsylvania.

Mr. TAULBEE. There is nothing whatever before the committee.

Mr. BINGHAM. There is a bill before the committee.

Mr. TAULBEE. I beg pardon, there is no bill before the committee.

The CHAIRMAN. The title of a bill has been read.

Mr. TAULBEE. And I would like to know what we are discussing? What does this bill propose to do?

Mr. RANDALL. The gentleman from Kentucky has probably been here every Friday night, and he knows that the consideration of this bill has been opposed on several occasions.

Mr. TAULBEE. I was not here on last Friday night, because I was sick.

Mr. BINGHAM. It has been put aside on four Friday nights.

Mr. TAULBEE. What is the rate of pension proposed?

Mr. BINGHAM. A hundred dollars a month.

Mr. TAULBEE. Then I shall oppose the bill.

The CHAIRMAN. The Clerk had better read the bill, as there is an amendment proposed by the committee.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll of the United States the name of Frances Anne Pyne Ricketts, widow of James B. Ricketts, late a major-general in the United States Army, retired, and to pay her a pension of \$100 per month, to take effect from and after the passage of this act, subject to the provisions and limitations of the pension laws.

The committee recommend to strike out "one hundred" and insert "seventy-five," in the seventh and eighth lines.

Mr. TAULBEE. I shall object to any arrangement that carries this bill over to a Friday. The House has assigned Friday nights for the consideration of pension bills, and everybody knows the attempts that are being made all the time to crush out the consideration of private bills.

Objection was made to-day to assigning three nights for the consideration of bills on the Private Calendar. I will say further that I am going to vote against this bill. I always have voted against bills of this class. I have been consistent in my votes, and have objected to the consideration of many of these bills when a quorum was not present, and they were carried over to be voted upon in a full House. And there never was one of them that did not pass.

Mr. RANDALL. If a bill of this kind can be passed in a full House by a yea-and-nay vote, why not agree to give that opportunity?

Mr. TAULBEE. I am in favor of this bill having the opportunity now. We might as well vote on it now.

Mr. RANDALL. I want the House to agree to the arrangement suggested by the gentleman from Indiana [Mr. CHEADLE].

Mr. GEAR. In a full House there is an opportunity of discussing the bill on its merits.

The CHAIRMAN. The Chair has been indulging this discussion in order to see if some arrangement can be made.

Mr. RANDALL. I have no objection whatever to the proposition of the gentleman from Indiana [Mr. CHEADLE].

The CHAIRMAN. The Chair will suggest that some definite proposition had better be submitted.

Mr. RANDALL. The gentleman from Indiana I think will see my good faith in this connection. But here I am on one side met by the gen-

tleman from Kentucky [Mr. TAULBEE] who says the bill shall not go to the full House, and on the other side by my friend, the gentleman from Tennessee [Mr. McMILLIN], who intimates that he does not want the bill to go over with the previous question ordered till to-morrow. I met the objection of the gentleman from Tennessee by giving him the assurance that I would make no effort to have the vote taken to-morrow. Having done so, I am now obstructed by the gentleman from Kentucky who states that he will not let the bill get into that position. I appeal to the gentlemen of this House to act fairly in this matter.

I am frank to say that if you corner this bill in this way I do not propose to play the part of dog in the manger and stop everything if I can not get this bill through. I do not propose to stop the granting of any pension because I can not secure the passage of the one under consideration. In that event I am willing you should go on and do what you please as to every other pension, because I consider innocent claimants should not suffer because of the difficulty as to this case.

Mr. BINGHAM. Perhaps the gentleman from Indiana [Mr. CHEADLE] will allow the bill to be discussed to-night.

Mr. DORSEY. Perhaps the gentleman from Indiana would like to have a call of the House.

Mr. RANDALL. The gentleman from Indiana, as far as I can see, is right from his standpoint. I make no complaint whatever against him. But I do not like to see the gentleman from Kentucky taking a position the result of which is to incorporate himself as a whole House. I say this respectfully.

Mr. TAULBEE. I wish to be very respectful towards the gentleman from Pennsylvania, and I wish to say to him that I do not intend to obstruct the passage of this bill.

Mr. RANDALL. But I am caught either way.

Mr. TAULBEE. I only wish to catch you one way, my object being to give the bills on the Private Calendar an opportunity of being considered. Resolution after resolution has been introduced and referred to the Committee on Rules, of which I think the honorable gentleman from Pennsylvania is a member, their object being to get some method by which we can consider the little bills on the Private Calendar, hundreds of them reported for four or five Congresses, which have never yet had a chance of being put upon their passage. And every resolution in favor of and looking in the direction of considering the bills on the Private Calendar has been crushed by committees or by the House; and it is time to stop.

Mr. RANDALL. I hope you will not punish an innocent applicant on account of the alleged dereliction of Committees on Rules.

Mr. TAULBEE. I am willing you should have an opportunity to have your bill passed.

Mr. RANDALL. I hope, then, the gentleman will take charge of this bill.

Mr. TAULBEE. Suppose we pass it to-night or have a call of the House?

Mr. MORRILL. In order to settle this matter I ask unanimous consent that the previous question be ordered on this bill, with the understanding that fifteen minutes be allowed on each side for debate and that a vote be taken next Wednesday immediately after the reading of the Journal.

Mr. GEAR. I wish to amend that proposition by placing the next bill on the Calendar in the same position.

Mr. RANDALL. You can not well do that.

Mr. GEAR. I withdraw the proposition.

The CHAIRMAN. The gentleman from Kansas [Mr. MORRILL] asks that fifteen minutes be allowed for debate; that the previous question be considered as ordered, and that the bill shall be considered immediately after the reading of the Journal on Wednesday next. Is there objection?

Mr. McMILLIN. I have already given my reasons for wishing this bill to be considered on the day set apart for private business, and it seems to me they are good reasons. I think the House will agree with me that we are so far behind that we ought not in any way to block public business. I have no objection to the time being allowed for discussion which has been suggested; but let it be assigned for the day peculiarly set apart for private business.

The CHAIRMAN. Does the gentleman from Tennessee suggest that Friday next be substituted for Wednesday next in the proposition which has been submitted?

Mr. MORRILL. Then I suggest Monday immediately after the reading of the Journal. Will that suit the gentleman from Tennessee better?

The CHAIRMAN. Is there objection to the request as modified by the gentleman from Tennessee [Mr. McMILLIN], that fifteen minutes be allowed for debate on each side, and that the previous question be considered as ordered on next Friday?

Mr. TAULBEE. Yes; I object to Friday.

A MEMBER. Monday was the day.

The CHAIRMAN. The Chair understood the gentleman from Tennessee to suggest Friday.

Mr. LONG. But the gentleman modified his suggestion.

The CHAIRMAN. The Chair understood the gentleman from Tennessee to mention Friday.

Mr. McMILLIN. I indicated Friday.

Mr. MORRILL. But the gentleman from Kentucky [Mr. TAULBEE] objects to Friday, so the objection prevents that order being made.

The CHAIRMAN. Does the gentleman from Kentucky [Mr. TAULBEE] object?

Mr. TAULBEE. Yes, sir; I object to any interference with the consideration of private business on Fridays.

Mr. MACDONALD. I move to substitute Wednesday.

The CHAIRMAN. That can be done only by unanimous consent.

Mr. CONGER. Mr. Chairman, I understood that the request of the gentleman from Kansas [Mr. MORRILL] was that the order should be fixed for Monday.

Mr. MORRILL. I made the request that Monday should be substituted, and that the bill should be taken up immediately after the reading of the Journal on Monday next.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas [Mr. MORRILL]?

Mr. BLAND. I will not make any objection, Mr. Chairman, but I think we ought to have an opportunity to amend the bill. I want to have an opportunity to move to amend it so as to make the rate \$50 instead of \$75.

Mr. MORRILL. Let that amendment be considered as offered now and as pending, and let the previous question be considered as ordered on the amendment and the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas [Mr. MORRILL] as modified by the suggestion of the gentleman from Missouri [Mr. BLAND]? [After a pause.] The Chair hears no objection, and it is so ordered, and the amendment suggested by the gentleman from Missouri [Mr. BLAND] will be considered as pending. The Clerk will report the next bill.

MRS. ELVIRA L. JOHNSON.

The Clerk read as follows:

A bill (S. 752) to grant a pension to Mrs. Elvira L. Johnson, widow of Commodore Philip E. Johnson.

Mr. RICE. Mr. Chairman, this bill provides a pension of \$50 a month for the widow of the late Commodore Johnson. It is subject to the same objection made by the gentleman from Indiana [Mr. CHEADLE] to the preceding bill, and I only ask now that it shall take the same course as that bill.

Mr. McMILLIN. Let the report be read.

The Clerk proceeded to read the report.

Mr. CHEADLE. Mr. Chairman, I enter the same objection to this bill as to the last. I am perfectly willing that it shall go over under the same order as the other bill.

Mr. RICE. That is all I ask.

Mr. McMILLIN. Let the report be read.

The Clerk resumed the reading of the report.

Mr. CHEADLE. Mr. Chairman, I made the same objection to this bill as to the last, and I understood that by agreement it would go over under the same order.

Mr. McMILLIN. Mr. Chairman, there has been no statement made concerning this case, and I think the report ought to be read.

The Clerk continued the reading of the report.

Mr. BREWER. Mr. Chairman, I ask that the further reading of this report be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. BREWER]?

Mr. McMILLIN. Mr. Chairman, I think that where we have a bill that varies the ordinary rule of pensioning the report ought to be read, especially as it can not be read when the bill comes into the House, because it will go there with the previous question ordered.

The CHAIRMAN. The gentleman from Tennessee [Mr. McMILLIN] objects to the request of the gentleman from Michigan [Mr. BREWER], and the Clerk will proceed with the reading.

Mr. BREWER. The bill can not be considered to-night; but the report can be printed in the RECORD. What is the use in taking up time in reading it now?

Mr. McMILLIN. If the bill is not to be considered or acted upon to-night I do not object.

Mr. BREWER. I understand that it is not. It has been objected to.

Mr. CHEADLE. Yes, I have objected to the bill. Mr. Chairman, I do not wish to appear as an obstructionist in legislation, and will not so appear; but I stated a week ago that I should object to all these bills unless there was a constitutional majority present. Therefore it may be understood that if I am here I shall object in all these cases. I object to this on principle. As I said before, if I would have waived my principles in the matter for any one on earth I would have done it in the case of Mrs. Logan, but I think I can give good reasons for my course, and I believe I shall be able to give my Republican friends reasons that ought to make them hesitate before they build up a line of precedents here that are at war with the very principles upon which this Government rests.

The report (by Mr. DE LANO) is as follows:

This is an application on the part of Mrs. Elvira L. Johnson, widow of Commodore Philip C. Johnson, for pension at the rate of \$50 a month.

The husband of the petitioner entered the naval service of the United States on the 31st day of August, 1846; January 8, 1852, he was promoted to passed midshipman; September 16, 1855, promoted to lieutenant; July 16, 1862, commissioned lieutenant-commander; April 13, 1867, promoted to commander; June 14, 1874, promoted to captain; July 28, 1884, promoted to grade of commodore.

He died at the navy-yard, Portsmouth, N. H., on the 28th of January, 1887.

From the age of seventeen until he reached the period of fifty-eight, the date of his death, he had given to the Government forty-one years of service.

During that forty-one years he was in the active performance of sea service, except nine years, when he was engaged in the Coast Survey service, at the Naval Academy, at the navy-yard at Mare Island, Cal., and at the navy-yard at Portsmouth, N. H.

His medical record in the Surgeon-General's Office shows that while in the service and in the line of duty he was stricken down with cholera and with epidemic fever; and while at the navy-yard at Mare Island he received a contusion, in the line of duty, in attempting to board a tug, which injury was in part the cause of his death; although the certificate of the surgeon shows the immediate cause of death to have been Bright's disease, yet it states that "there is fair evidence that the disease originated in the line of duty."

If long service, an unblemished record, and the conscientious discharge of every duty which the exigencies of the service imposed upon him can entitle the widow of an officer of his grade to an increased pension, as a partial recognition of the exceptional services of her husband, the widow of this officer, in the opinion of the committee, would clearly be entitled to the most favorable consideration of Congress. The precedents heretofore established are so numerous and familiar that it is unnecessary in this report to specify where such recognition has been promptly given by Congress.

In this case there are additional reasons why the appeal of the petitioner should receive favorable action. Mrs. Johnson is a native of Chili, and was married to Commodore Johnson at Talcahuano, January 8, 1870. As the wife of this American officer she sundered every tie that bound her to her native country, her family, and the associations of her former life, and has shared with him the trials and hardships incident to his occupation.

She has two children absolutely dependent upon her for support and education, a daughter aged twelve years, and a son aged eleven years.

In addition to this responsibility, since the death of her husband she has lost the sight of one eye and is threatened with blindness in the other. She now finds herself in her adopted country without the means of support, with these grave responsibilities resting upon her, and in a condition that renders it almost impossible for her by her own efforts to overcome the difficulties which surround her.

The records of the service in detail of Commodore Philip E. Johnson, the affidavits of Mrs. Johnson, and Dr. F. B. Loring, are appended to this report for the information of Congress.

Your committee is of opinion that the application is one of real merit, and therefore report the bill favorably, with the recommendation that it do pass, after amending the same by striking out "E." in the fifth line, so that it will read Philip C. Johnson.

Philip C. Johnson was appointed a midshipman in the Navy August 31, 1846, and ordered to the Naval School.

December 3, 1846, detached and ordered to the Ohio; August 2, 1849, detached from the Dale and granted leave; November 1, 1849, ordered to the Naval School; May 14, 1850, detached and ordered to the Congress; July 12, 1851, detached from the St. Louis and ordered to the Naval Academy; June 8, 1852, promoted to passed midshipman.

June 9, 1852, detached from the Naval Academy and ordered to the Princeton; June 22, 1852, order to the Princeton revoked and ordered to the Fredonia; September 15, 1855, promoted to master.

September 16, 1855, promoted to lieutenant; September 29, 1856, granted permission to return from the Coast Survey steamer Active; May 26, 1859, detached and ordered to the San Jacinto; October 2, 1861, detached from the Constellation and granted leave.

November 2, 1861, ordered to the Portsmouth; July 16, 1862, promoted to lieutenant-commander; December 2, 1863, detached from the command of the Katakhdin and ordered to return north.

March 21, 1864, ordered to the Naval Academy; January 18, 1866, detached and placed on waiting orders; February 17, 1866, he was granted three months' leave, with permission to visit England.

September 17, 1866, ordered to the Sacramento; March 24, 1867, detached and placed on waiting orders; April 13, 1867, promoted to commander; June 10, 1868, ordered as fleet captain of the South Pacific squadron; September 9, 1870, detached and placed on waiting orders; October 15, 1870, ordered to duty on the Coast Survey; July 2, 1872, recommissioned as commander, to rank from July 25, 1866.

May 22, 1874, detached and ordered to examination for promotion; June 14, promoted to captain; June 7, 1874, ordered to command the Omaha; September 13, 1876, detached from command of the Richmond and placed on waiting orders; April 2, 1877, ordered to the navy-yard, Mare Island, Cal.; April 15, 1881, detached and placed on waiting orders; June 1, 1881, ordered to attendance torpedo instruction; June 15, 1881, detached and ordered to command the New Hampshire; November 22, 1881, detached and ordered as Chief Signal Officer.

June 28, 1884, detached and ordered to command the training squadron; July 28, 1884, promoted to the grade of commodore.

October 14, 1884, detached and ordered to command the navy-yard, Portsmouth, N. H. He died at the navy-yard, Portsmouth, N. H., on the 28th of January, 1887.

WASHINGTON, D. C., January 31, 1888.

I, Mrs. P. C. Johnson, do hereby certify that ever since the death of my husband, the late Commodore P. C. Johnson, United States Navy, I have been suffering with my eyes; that the sight of one of them is entirely lost and that of the other seriously impaired.

The conditions above mentioned render me unable to read or engage in any occupation or pleasure requiring the use of my eyes.

MRS. P. C. JOHNSON.

Sworn and subscribed before me this 31st day of January, A. D. 1888.

[SEAL.]

EDWARD J. STELLWAGEN,

Notary Public, District of Columbia.

[Dr. F. B. Loring, 1407 New York avenue.]

This is to certify that Mrs. P. C. Johnson is under my charge for her eyes, Mrs. Johnson has lost one eye entirely from glaucoma, and has had a severe attack in the other. Nothing but constant care and treatment will save her from total blindness. This condition has existed from the time that she lost her husband.

F. B. LORING.

Sworn and subscribed before me this 31st day of January, A. D. 1888.

[SEAL.]

EDWARD J. STELLWAGEN,

Notary Public, District of Columbia.

Mr. GALLINGER obtained the floor.

Mr. BREWER. I do not understand that this bill has taken the same course as the one last considered.

The CHAIRMAN. The gentleman from New Hampshire [Mr. GALLINGER] is recognized.

Mr. GALLINGER. Mr. Chairman, this is a report from the Committee on Pensions; and I understand that the gentleman who made the report is not present. I ask unanimous consent that the bill be passed over, retaining its place on the Calendar.

Mr. RICE. I object. I simply ask that this bill take the same course as the Ricketts bill.

The CHAIRMAN. The gentleman from Minnesota [Mr. RICE] asks that this bill go over until Monday next, to be disposed of after the pension bill already assigned for Monday; that fifteen minutes' debate be allowed on each side, and that the previous question be then considered as ordered. Is there objection?

Mr. BLAND. Is not this widow drawing a pension?

Mr. RICE. No, sir.

Mr. BLAND. Why not give her a pension like the others?

Mr. BREWER. I have tried to get the attention of the Chair for the purpose of making objection to the proposition that this bill be fixed for consideration on Monday next. By the rules of the House next Monday is assigned for business of the District of Columbia. In the first place, I do not believe that this Committee of the Whole has power to take any portion of that day away from the District Committee; and in the second place, I can not consent that the time of the House on that day be occupied by other business. We lost entirely the last day which was assigned for District business.

The CHAIRMAN. The gentleman from Michigan [Mr. BREWER] objects to the proposition of the gentleman from Minnesota [Mr. RICE].

Mr. MORRILL. I move that this bill be amended by striking out "\$50" and inserting "\$30." This will relieve it from all objection. The gentleman from Indiana [Mr. CHEADLE] will then be perfectly satisfied, because that is the rate established by the general law; and it will be satisfactory to all sides.

Mr. McMILLIN. Has this widow made application for a pension under the general law?

Mr. MORRILL. No, sir.

Mr. McMILLIN. Why not?

Mr. MORRILL. This proposition is for a service pension. Her husband was in service for forty years.

Mr. McMILLIN. I understand that; but if the widow is entitled to a pension under the general law, she ought to apply for it.

Mr. SAWYER. I suppose that under the general law she would not be entitled to a pension, because she can not show that the death of her husband was caused by anything incident to the service. He died of old age after a service of forty years.

Mr. RICE. I assent to the motion of the gentleman from Kansas [Mr. MORRILL].

Mr. SAWYER. I wish to make a personal inquiry—whether it would be proper for the gentleman from Indiana [Mr. CHEADLE] to give notice to the Republican side of the House when he will favor us with an explanation of his views on this great moral question involving so much? [Laughter.]

The CHAIRMAN. The Chair is unable to give the gentleman the information.

Mr. CHEADLE. Mr. Chairman, I withdraw my objection to this bill if it is understood the amendment suggested by the gentleman from Kansas is to be made. I wish to state, without occupying time, that I think I shall be able, and I say it with a great deal of respect for my distinguished friend on the right [Mr. SAWYER], to give him good and valid reasons why he, as a Republican, should stand where I stand on this question.

The CHAIRMAN. The gentleman from Kansas moves to amend the bill by striking out "\$50" and inserting "\$30."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

EDWARD DURANT.

The next business on the Calendar was the bill (S. 765) granting an increase of pension to Edward Durant.

The CHAIRMAN. This is a Senate bill which, as appears by the Calendar, has been reported by the House committee adversely.

Mr. MORRILL. I ask that it be passed over, retaining its place. The gentleman at whose instance it was placed on the Calendar may be able at another time to give reasons why he wished it considered. I ask that it be passed over informally for the present.

The CHAIRMAN. If there be no objection, the bill will be passed over, retaining its place on the Calendar.

There was no objection, and it was ordered accordingly.

WILHELMINA KUHLMANN.

The next business on the Calendar was the bill (H. R. 4845) granting a pension to Wilhelmina Kuhlmann.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Wilhelmina Kuhlmann, widow of Frederick Kuhlmann, deceased, late private in Company F, Twentieth Regiment New York Volunteers.

The report (by Mr. PIDCOCK) was read, as follows:

Wilhelmina Kuhlmann is the widow of Frederick Kuhlmann, who served as private in Company F, Twentieth Regiment New York Volunteers, from May 3, 1861, to June 1, 1863. Soldier applied for pension on account of rheumatism June 29, 1880, and died during the pendency of his claim, April 17, 1884. The widow successfully completed the claim, and was allowed the pension otherwise due the soldier. Her own claim has been rejected on the ground that the death cause, disease of kidneys and uræmia, are, in the opinion of the medical referee, not due to rheumatism, for which pension was allowed.

The attending physician, Dr. Herman Kudlich, a practitioner of some prominence, testifies that he was the soldier's family physician for many years prior to and during his last illness, but did not discover the existence of nephritis until in the early part of April, 1884; then examined his urine and found that he suffered from an aggravated case of kidney disease of long standing. From affiant's knowledge of the soldier, and the history of the case, it is his opinion that this disease was caused and produced from rheumatism of long standing from which soldier suffered.

The case having been submitted to the medical referee of the Pension Office, that officer held that inasmuch as medical examination of the soldier a year prior to his death failed to show the existence of cardiac disease, it is not likely that the fatal disease was a sequence of the rheumatism. He further states that the allegations of the widow that soldier suffered from dropsy for about three years before his death are against the theory of Dr. Kudlich, regards the fatal uræmia as the result of rheumatism, and suggests that the grounds for the doctor's opinion in the detailed report of his analysis of the urine should be obtained. In response to this Dr. Kudlich says:

"I have known the deceased soldier for some years, and during this time I attended him frequently enough for more or less severe attacks of muscular and articular rheumatism and other occasional disorders, but kept no special record of it, as I never expected to testify about it. But I know that he suffered frequently from rheumatism (muscular and articular). The action of his heart, which was considerably dilated, was at times very irregular, causing frequent attacks of short breathing, and preventing the disabled from his work. I do not know that he suffered from dropsy about three years previous to his death. Mrs. Kuhlmann may either be mistaken—mistaking rheumatic oedematous swellings of the joints for dropsy, using this word in a more popular way—or else he has been attended by some one else, which is possible.

"My reason to believe that the fatal disease was directly caused by his frequent attacks of rheumatism and nothing else is simply this, that I can not otherwise account for it. Mr. Kuhlmann has, as long as I have known him, always been moderate in his habits, especially moderate in using alcoholic stimulants; then, on account of his rheumatic disposition, he was always very careful not to expose himself to colds. And so there is hardly any other cause left for the fatal nephritis causing uræmia than his rheumatic disposition in general, and the effects which the same had on his heart and blood vessels. The examination of his urine, of which a very small quantity only was passed, showed, as far as I can remember, considerable albumen—over 30 per cent. I do not remember to have made a microscopical examination."

The claim, notwithstanding this opinion, was rejected, as heretofore stated. While it may be true that the connection between the fatal disease and the service is not fully shown, yet this committee, knowing the impossibility of clearly demonstrating such a connection in diseases so obscure as the one which caused this soldier's death, believe that the opinion of attending physicians should govern its action, unless it is self-evident that such opinion is incompatible with the facts in the case.

In the case under consideration there is, however, a reasonable presumption that the fatal disease was chargeable to the soldier's military service, and therefore report favorably on the bill, and ask that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JESSE H. STRICKLAND.

Mr. BUTLER. I ask unanimous consent for the present consideration of the bill (S. 381) for the relief of Jesse H. Strickland. I will state that I am very unexpectedly compelled to leave the city to-night, and shall take the train in a few minutes.

There being no objection, the Committee of the Whole proceeded to the consideration of the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Jesse H. Strickland, formerly colonel of the Eighth Regiment of Tennessee Cavalry, United States Volunteers, and pay him a pension at the rate of \$30 per month.

The amendment reported by the Committee on Invalid Pensions was read, as follows:

At the end of the bill strike out the words "and pay him a pension at the rate of \$30 per month," and insert the following: "And for the purpose of prosecuting a claim for pension, and for no other purpose, said Jesse H. Strickland shall be considered as having been duly commissioned and mustered as colonel of said regiment, to date from the 30th day of January, 1863."

Several MEMBERS. Let us hear the report.

Mr. BLAND. This is a complicated and singular case.

Mr. TAULBEE. I make the point of order that this is not in accordance with the special order for the Friday evening session.

Mr. BLAND. This man, it seems to me, is to be discharged in order to get a pension. That does not certainly come within the special order. He is to be placed on the roll to be discharged, and then he is to come in for a pension. I think we had better not proceed with such a bill.

Mr. BUTLER. It is a unanimous report from the committee.

The CHAIRMAN. A part of this bill, it would seem, would not be in order at this time, and the Chair is of the opinion that it invalidates the entire bill from being considered at this time.

Mr. BUTLER. It is a bill which, under the rules, was required to come from the Committee on Invalid Pensions.

The CHAIRMAN. The Chair sustains the point of order.

MRS. D. P. WOODBURY.

The next business on the Private Calendar was the bill (H. R. 5961) to increase the pension now paid to Mrs. D. P. Woodbury.

Mr. MORRILL. The gentleman from Michigan [Mr. CHIPMAN], who reported that bill, is not present, and I ask by unanimous consent it be passed over.

There was no objection, and it was ordered accordingly.

SALLY A. RANDALL.

The next business on the Private Calendar was the bill (H. R. 88) granting a pension to Sally A. Randall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sally A. Randall, widow of Antipas Tabor, who served as private in the war of 1812.

The report (by Mr. HENDERSON, of North Carolina) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 88) granting a pension to Sally A. Randall, have had the same under consideration, and beg leave to submit the following report:

The claimant was the wife of Antipas Tabor, who, as the record shows, served as an enlisted man in the war of 1812, in Capt. Seth Staples', Company, of the Third Regiment, Second Brigade, Massachusetts Militia, from September 27 to October 30, 1814, and was honorably discharged. Antipas Tabor died at Trinidad, on the Island of Cuba, April 11, 1831, and his widow, the claimant, married Albert Randall on February 20, 1853. Albert Randall died on October 19, 1873, and since that date the claimant, Sally A. Randall, has been, and still is, a widow.

The evidence in the case establishes the above facts, and further shows that Mrs. Randall is a worthy woman, seventy-five years of age, in needy circumstances, with health much impaired. The petition for her relief was signed by prominent citizens of Norwich, Conn., where she now resides.

The claimant has not filed claim for a pension in the Bureau of Pensions, being debarred, under a decision of July 7, 1887, from a widow's title to an 1812 pension, on account of her remarriage, notwithstanding the death of her second husband and her present widowhood.

Your committee recommend the passage of the bill.

Mr. O'NEILL, of Missouri. This is a bill to grant a pension to the widow of a soldier of the war of 1812 who remarried and her second husband died in 1873. Of course I have no special opposition to this bill, but it seems to me the policy of the Government in all our pension laws has been to exclude from the benefit of those laws the widows of soldiers who remarry.

Mr. MORRILL. That was the policy of the Government.

There was no objection, and the bill was laid aside to be reported to the House with the recommendation that it do pass.

ELIJAH MARTIN.

The next business on the Private Calendar was a bill (H. R. 5522) for the relief of Elijah Martin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Elijah Martin, late a private in Lieut. James Whelpley's company of the Twenty-sixth Regiment United States Infantry in the war of 1812, at the rate of \$30 per month, deducting therefrom the amounts heretofore received by him for pension.

The report (by Mr. HENDERSON, of North Carolina) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 5522) for the relief of Elijah Martin, would report that it appears from the record in the case that the claimant served as a private in Lieut. James Whelpley's company, Twenty-sixth United States Infantry, war of 1812; that he is now aged about eighty-seven years, and is in destitute circumstances. He is receiving a pension at the rate of \$8, under act of March 9, 1878. The committee would recommend that the bill be amended by striking out the word "thirty," in the ninth line thereof, and substituting therefor the word "twenty;" and also by striking out the words "deducting therefrom the amounts heretofore received by him for pension;" and that the bill, thus amended, pass.

The CHAIRMAN. The question is on the amendments reported by the committee, which the Clerk will read.

The Clerk read as follows:

Strike out "thirty" and insert "twenty;" also strike out the words "deducting therefrom the amounts heretofore received by him for pensions."

The amendments were agreed to; and there being no objection the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

JESSE H. STRICKLAND.

The CHAIRMAN. To return to the bill called up by the gentleman from Tennessee [Mr. BUTLER], the Chair desires to state that having consulted some excellent parliamentarians, he is inclined now to believe the bill is in order, as the amendment of the Committee on Invalid Pensions relates to the mode of procedure for pensioning this party. Therefore the bill will be entertained at this time unless there be objection to the request for unanimous consent.

Mr. BLAND. What is the proposition?

The CHAIRMAN. That the Chair will entertain the request for consideration unless there be objection.

Mr. BLAND. I do not object to it more than to any other bill, but I ask for the reading of the report.

The report (by Mr. GALLINGER), from the Committee on Invalid Pensions, was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 331) for the relief of Jesse H. Strickland, have had the same under consideration, and beg leave to submit the following report:

A similar bill passed the Senate during the Forty-ninth Congress, and upon its reference to the Committee on Invalid Pensions of that Congress, after much deliberation on their part they reported favorably thereon with certain amendments, as will more fully appear from their report, as follows:

"The papers filed in this case may be considered as establishing the following facts:

"That in January, 1863, Strickland received authority from the Government

to recruit and organize a regiment of cavalry of loyal Tennesseans. That he entered upon that duty and raised the Eighth Tennessee Cavalry (so named), but for some reason, which appears only in his own statement, was not mustered as colonel, although he performed the duties for months, and was recognized as such.

"That in September, 1863, he was sick with intermittent fever, and was certified from time to time, from September 4 to September 19, as being unfit for duty, surgeon on last date expressing opinion that he would not be able for duty for several weeks. It is most reasonable to accept the statement that to his sickness and his inability to perform active service his failure to be commissioned was attributable.

"That since 1863, as is established by competent medical evidence, he has been more or less disabled by lung trouble, rheumatism, typhoid pneumonia, hemorrhages, and nervous prostration. One other witness places these troubles as far back as 1865, and there is evidence that he was physically sound before entering upon his military duties.

"The evidence filed is not such, in the judgment of this committee, as to warrant them in recommending a pension at any arbitrary or fixed rating. We are of opinion, however, that justice would be conserved by giving this claimant a legal standing to prosecute his claim in the Pension Office, and accordingly recommend that the Senate bill pass with the following amendment: Strike out all after the word 'volunteers' in the seventh line, and insert 'and for the purpose of prosecuting a claim for pension, and for no other purpose, said Jesse H. Strickland shall be considered as having been duly commissioned and mustered as colonel of said regiment, to date from the thirtieth day of January, A. D. one thousand eight hundred and sixty-three.'"

Mr. GALLINGER. I can make a statement if permitted which will save time, unless objected to.

Mr. MORRILL. It is a lengthy report.

Mr. LONG. There was a surprising statement made in this case a year ago by the gentleman from Indiana [Mr. JOHNSTON].

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire?

Mr. LONG. I have no objection.

The CHAIRMAN. The Chair hears no objection, and the gentleman will proceed.

Mr. LONG. Will the gentleman permit me to have this statement read, and then perhaps the gentleman from New Hampshire can throw some light upon it?

Mr. GALLINGER. Certainly.

The Clerk read as follows:

Mr. JOHNSTON, of Indiana. I wish to state to the committee, Mr. Chairman, that I do not stand as an obstruction, but on the contrary wish to see every soldier entitled to a pension for services rendered obtain it. I wish the committee to understand this, and then if it is disposed to grant this man a pension I am not going to call a quorum. I was a member of the same regiment he claims to be a colonel of. I helped to organize that regiment. I helped to enlist one hundred and fifty who went into the regiment.

I went to the regiment at Camp Nelson, in Kentucky, the last of August, 1863. We were there mustered. I went with that regiment through Kentucky and Tennessee. It was the first regiment which ever entered the city of Knoxville. We were in the first Tennessee campaign. We went up to the siege of Knoxville. I staid with the regiment—about seven hundred men in it—until it was finally consolidated with the Tenth Regiment, making one regiment, and I never saw that man until I saw him in this city lobbying me to assist him. He never was with the regiment, never performed any service with the regiment.

Mr. WISE. Let me interrupt the gentleman a moment. I object to the bill.

[Laughter.] The CHAIRMAN. The bill will be passed over.

Mr. BLAND. Mr. Chairman, I had some intimation about this case, and I give notice now that no claim of that character will go through this House while I am here without a quorum. I look upon it as an attempt to muster a man in and muster him out; to make him a soldier and to pension him in the face of facts and against the record of the Government itself.

Mr. GALLINGER. Notwithstanding the statement of the gentleman from Indiana [Mr. JOHNSTON], which the Committee on Invalid Pensions were cognizant of, every member of that committee, after a very careful consideration of this case, have agreed to report the bill in the form in which it appears before the House to-night. I think it is possible that Mr. JOHNSTON has somewhat changed his mind on this case. Indeed, I have an intimation to that effect. But for the purpose of allowing the gentleman from Missouri, who seems to antagonize the bill, time to investigate the matter further—for the Committee on Invalid Pensions has no desire to pass the bill unless it be just and right—I ask unanimous consent that it be passed over, retaining its place on the Calendar, for to-night.

Mr. OUTHWAITE. I would like to ask, before that consent is given, whether Mr. JOHNSTON has changed his knowledge of the facts? He may have changed his opinion, but has he other information?

Mr. GALLINGER. I think it not wise to discuss that matter to-night. The committee are satisfied that Mr. Strickland had recruited this regiment; and had he not been sick and upon his back in bed, as he was for weeks, he would have been mustered as colonel of it. He lost his commission through sickness and through no fault of his own. It was the unfortunate condition of his health at that time, this sickness coming upon him, which occasioned the loss of his command.

Mr. OUTHWAITE. Does this bill give arrearages?

Mr. GALLINGER. No, sir.

Mr. OUTHWAITE. That was my impression from hearing it read.

Mr. GALLINGER. That is a mistake; it simply gives him standing to prosecute his claim. It does not even give him a pension.

The CHAIRMAN. Without objection, the request of the gentleman from New Hampshire will be agreed to, and this bill will be passed over, retaining its place upon the Calendar.

There was no objection, and it was so ordered.

NOAH S. CRAMER.

The next business on the Private Calendar was the bill (H. R. 5237) granting a pension to Noah S. Cramer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Noah S. Cramer, late of the United States Navy.

The report (by Mr. PIDCOCK) was read, as follows:

Cramer served as landsman, United States Navy, from August 24, 1864, to June 29, 1865, when discharged.

He filed his application for pension December 24, 1879, in which he alleges that while on the *Aphrodite*, about October 3, 1864, he was wrecked near Beaufort, N. C., and was kept wet and cold for three nights and days without change of clothing, in consequence of which he contracted rheumatism. The claim has been rejected, and the rejection affirmed by the Secretary of the Interior, on the ground that the evidence fails to show that the alleged rheumatism was contracted in the service and line of duty.

The records of the Navy Department show that claimant was transferred to the *Aphrodite* September 29, 1864; that the same was lost and no rolls furnished to the Department. He was transferred to the *Monticello*, and there served as paymaster's steward on account of his lameness, as he alleges, until his discharge. The records furnish no evidence of treatment in the service. The claim was specially examined in 1882, and upon this examination was based the action of the office in rejecting the claim. It is true that the special examination failed to disclose any medical treatment for rheumatism until the fall of 1865, probably three or four months after discharge. But it is shown thereby that he had diarrhea, and complained of pains in his bones, and was treated therefor immediately after discharge.

A continuous disability from rheumatism is clearly established by the testimony and the medical examinations in the case. The only known officer of the vessel on which claimant last served has no personal knowledge of the alleged disability, but three shipmates testify to the incurrence of rheumatism and its existence in the service. The special examiner failed to interview one of these witnesses, because at the time "he was not sober enough to have his deposition taken;" the other two in substance affirmed their former statements.

There are also on file two letters written by the claimant, one to his mother, the other to his brother, then a practicing physician. The first, bearing date of March 4, 1865, says: "I have a bad cold, and am very lame at times;" the other, written shortly after discharge, alludes to his illness and confinement to bed.

While the evidence in the case may not be conclusive enough to warrant favorable action in the Pension Bureau, yet your committee can not but reach the conclusion that the disability from which claimant has suffered since discharge is directly chargeable to the exposure endured by reason of the shipwreck heretofore referred to, and therefore report favorably on the accompanying bill, and ask that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

LAFAYETTE LAKIN.

Mr. MORRILL. *Mr. Chairman, I ask unanimous consent to take up for present consideration the bill (H. R. 8211) to pension Lafayette Lakin.

Mr. SEYMOUR. Do I understand this to be a request for the consideration of a bill out of its regular order on the Calendar? If so, I desire to object.

Mr. MORRILL. One bill has been already taken up and so considered. I will state that I shall not be here on next Friday.

Mr. SEYMOUR. I do not know how to get on the list myself for unanimous consent, and I think we had better proceed in the regular order. However, as this is a proposition coming from my friend upon the committee, I dislike to interpose an objection; and as I understand he will not be here on Friday next I withdraw the call for the regular order.

The CHAIRMAN. The bill will be read.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Lafayette Lakin, late of United States steam-ship *Albany*.

The report (by Mr. BLISS) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 8211) granting a pension to Lafayette Lakin, submit the following report:

The claimant in this case enlisted on July 5, 1848, as a landsman in the United States Navy, and was discharged September 6, 1850. In his application for pension, filed July 8, 1886, he alleges that he contracted a severe cold, resulting in chronic nasal catarrh, pain over the eyes, and loss of sight. His application was rejected on the ground of no record, the claimant being unable to furnish satisfactory testimony.

In his affidavit he says that going from Norfolk, Va., on sloop of war *Albany*, en route to Vera Cruz, Mexico, he caught a severe cold in the autumn of 1848, causing pain in the head and resulting catarrh; that during the next year, picketing off Block Island, on the Mississippi coast, at the time of the Lopez expedition, he contracted another cold, increasing his catarrh trouble, of which he had never recovered since the first attack, and from which combined attacks he has never recovered; that as a result of this disease his eye-sight has been gradually failing him, and that now he is nearly blind.

The journals of the steamship *Albany* show that claimant was admitted to the hospital December 9, 1848, with cephalalgia, origin not stated. Medical referee of Pension Office says this is a premonitory symptom of catarrh.

The journals of the *Pennsylvania* and of the *North Carolina*, upon which he subsequently served, afford no information.

Mrs. Elizabeth McCaull testifies that she has known claimant from childhood, and up to the time of enlistment she had never seen any sign of disease; that he was considered a healthy man; that since his return from the service he was suffering from catarrh, and knows that he has been a constant sufferer therefrom ever since. This has been followed by a general breaking down in health and loss of eye-sight.

John D. B. Lakin testifies that he was more or less in the company of Lafayette Lakin during the time prior to the year 1848; that claimant was then and had been in good health; was considered by all acquainted with him a healthy man; that on his return home he was suffering from catarrh.

Arthur D. Kinney, thirty-three years of age, testifies that he has known claim-

ant from his (affiant's) boyhood, and that he has been troubled with nasal catarrh during all the time of their acquaintance.

Daniel Candy testifies that he has been personally acquainted with claimant since 1850, and knows that he has been a sufferer of chronic nasal catarrh ever since. Says that his knowledge is obtained through personal observation; that said Lakin came to his home in Memphis, State of New York, in the autumn of 1850, having just received his discharge from the United States Navy, and remained with him during the winter, and was employed by him during the year 1851 as clerk in his grocery store, and that he lived a neighbor to him until 1860.

The examining board at Cortland, N. Y., report him as totally blind in the right eye; that the vision of the left eye is seriously impaired, and that there is an aperture in the septum narium about a half inch in diameter, the margin of which is in an ulcerated state.

The claimant for many years managed his business affairs, sturdily refused to ask for a pension, but finding himself now in his advanced age, through business misfortunes, unable to care for himself, he seeks from the Government that aid to which he has so long been entitled. The man's condition is indeed a sad one. He will doubtless be in a few months totally blind. This condition is the result of the nasal catarrh.

The evidence satisfies your committee that the disability was contracted in the naval service of the United States, that it has continued ever since, and they therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. FORD. Mr. Chairman, I ask unanimous consent to take up for present consideration the bill (H. R. 4774) granting a pension to Mathew H. Reynolds and put it upon its passage.

Mr. PIDCOCK. Regular order.

The CHAIRMAN. The regular order being demanded, the Clerk will proceed to read the next bill upon the Calendar.

CYRENIUS G. STRYKER.

The next business on the Private Calendar was the bill (H. R. 5234) granting a pension to Cyrenius G. Stryker.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Cyrenius G. Stryker, late a private in Company A, Thirtieth Regiment New York Volunteers.

The report (by Mr. PIDCOCK) was read, as follows:

Stryker enlisted for nine months September 3, 1862, in Company A, Thirtieth Regiment New Jersey Volunteers, and was discharged June 27, 1863. In his application for pension, filed June 4, 1879, he alleges that in October, 1863, while getting off the cars on which the command was transported to Washington, D. C., he was crowded against and pushed off the platform, and in the fall injured his spine, from which injury he is still suffering. That he was treated therefor by Surgeon Barkley, deceased, and afterwards at Aquia Creek hospital. In corroboration of his allegations he filed the testimony of Lieut. Joseph B. Smith and Comrades Edward and Peter S. Smith. It is also shown in evidence that soldier was under medical treatment by Dr. James B. Van Derveer from discharge to 1866, and subsequently by Dr. J. V. Fritts, for contusion of spine, affecting the kidneys and sexual organs.

The claim was specially examined in 1886, and upon this examination the claim has been rejected, upon the ground that the evidence is not satisfactory as to the incurrence of disability in the service, and that medical examinations fail to disclose any physical signs of disability therefrom.

The affiants as to the incurrence of the disability are shown by the papers in the case to be credible witnesses. The former lieutenant is chief deputy collector of internal revenue for the Third New Jersey district. At the time of his examination by the special examiner he had no distinct recollection of the injury aforesaid, but gave it as his opinion that his affidavit must have been based upon entries in a memorandum book which has since been lost. The two comrades whose testimony was filed, as heretofore stated, were not interviewed by the special examiner. Two other comrades, however, were examined by that officer, and while they are unable to testify to the precise nature of the disability incurred, they state that claimant was in apparent good health at time of enlistment, and that some time during service he became disabled from some cause.

The record of the Surgeon-General corroborates claimant's allegation as to treatment at Aquia Creek hospital in April, 1863, but fails to show the nature of the disability for which treated.

That claimant has been suffering from some injury of the spine ever since discharge can not be doubted, while the writer of this report has personal knowledge of the soldier's disabled and feeble condition, the nature of which, however, he is unable to diagnose.

Medical examination, it is true, discloses no physical signs of the alleged injury. But two medical examinations do show lumbago, lameness, and tenderness over sacrum.

The committee are of opinion that the evidence in the case corroborates claimant's allegation as to the injury in the service, and that he should be pensioned for any disability now found to exist which can reasonably be attributed thereto.

The bill is therefore returned with the recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ALETTA V. QUICK.

The next business on the Private Calendar was the bill (H. R. 7181) granting a pension to Aletta V. Quick.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Aletta V. Quick, dependent mother of Abram Quick, late sergeant-major of Thirtieth Regiment New Jersey Volunteers.

The report (by Mr. PIDCOCK) was read, as follows:

The claimant is the mother of Abram Quick, who died of typhoid fever April 9, 1863, while serving as sergeant-major of the Thirtieth Regiment New Jersey Volunteers. Her claim for pension has been rejected by the Pension Bureau on the ground that at the time of the son's death she was comfortably supported by her husband, and therefore not dependent upon the soldier. It is true that at the critical period and for years thereafter the claimant's husband was in possession of real estate sufficient to afford their support. He had not then come into full possession of the property, the same belonging to his father. Upon the latter's death, however, probably about 1866, he became sole owner

of one-half of the farm of 224 acres, heavily encumbered, however, and by reason of bad management, serious disability, and other causes, it gradually passed out of his possession, until now claimant is really dependent.

It is also shown by the evidence on file that the soldier sent money home during his service. He died leaving neither widow nor minor child surviving him.

The rejection of the mother's claim by the Pension Bureau on the grounds heretofore referred to, it is admitted, was proper under the requirements of the general pension law. But Congress in many instances has adopted a more liberal view by recognizing present dependence upon others as sufficient ground for special legislation. In fact, a change in the law looking in that direction has been recommended by the Secretary of the Interior and the Commissioner of Pensions, and such a measure is now before the House.

Believing, however, that relief should be granted in the case under consideration before the proposed change in the law can go into effect, your committee report favorably on accompanying bill, and ask that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. FORD. I again ask unanimous consent to call up the bill I have indicated.

Mr. SEYMOUR. I object, and demand the regular order.

GEORGE E. OLIPHANT.

The next business on the Private Calendar was the bill (H. R. 2167) for the relief of George E. Oliphant.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place on the pension-roll the name of George E. Oliphant, late a private in Company I, Seventeenth Regiment of Indiana Volunteers, subject to the provisions and limitations of the pension laws.

The report (by Mr. MATSON) was read as follows:

George E. Oliphant was enrolled on the 12th day of June, 1861, in Company I, Seventeenth Indiana Regiment Volunteers, and was honorably discharged at Nashville, Tenn., on the 4th day of January, 1864, and re-enlisted as a veteran January 4, 1864, in same company and regiment, and was honorably discharged at Macon, Ga., August 8, 1865.

The relief asked for in this bill is based on the application of the soldier for pension, in which he avers that while in the service and in line of duty, at the town of Macon, Ga., on or about the 1st day of July, 1865, he was attacked with typhoid fever, which, together with exposure, caused the entire loss of sight of right eye, and has impaired the sight of the left eye to a great extent, rendering him incapable of following his usual avocation most of the time.

The claim was rejected by the Pension Department on the ground that disease of the eyes existed prior to enlistment. There is testimony to show that claimant had some trouble with his eyes when a boy, but all of the witnesses agree that for several years before enlistment and during four years of service his eyes were sound. "Is it possible," says the special examiner, "that if claimant was subject to disease before enlistment, as the reviewer thinks, he would have served faithfully from June 12, 1861, to July 1, 1865, in the mean time re-enlisting as a veteran, without showing some signs of the disability?"

The fact being established by a preponderance of testimony, and, in the opinion of the committee, "beyond a reasonable doubt," that the soldier's eyes were sound prior to enlistment, and that he had no trouble with them during his entire service of four years, it remains only necessary for the committee to investigate the question as to whether the alleged disability was incurred while in the service and in line of duty. At the time of the soldier's alleged disability the war had closed, and the soldier was waiting to be mustered out with his company, which was done on the 8th of August, 1865. The records of the Adjutant-General's Office furnish no evidence of the alleged disabilities, for the reason that the hospital record covers only the period from January 29, 1864, to June 30, 1865, while the soldier's sickness occurred about the latter part of July, 1865. The records from that time on are lost or were never made, and the surgeons at this late day do not remember the case.

Sergt. Caleb J. Thompson testifies that claimant, in July, 1865, at Macon, Ga., was very ill and sick of fever; that said fever settled in the soldier's eyes, and he lost the sight of one eye and the sight of the other was greatly impaired. He knew these facts from personal knowledge, being a member of the same company and regiment.

Jackson Lewis testifies:

"On July 1, 1865, at Macon, Ga., said soldier was taken sick with fever, and so remained for the space of about four weeks, at which time said fever settled in soldier's eyes, which resulted in the loss of the right eye and the other has been badly affected. I know these facts by being his nurse while he had the fever."

Elijah Hightower testifies as follows:

"On July 1, 1865, at Macon, Ga., claimant was taken sick with what was said to be typhoid fever, and immediately after his recovery his eyes were much affected; that he has been acquainted with claimant for the whole period of his life, and that he has full knowledge that claimant's eyes have been badly affected ever since his return from the Army in August, 1865; and further, that he is totally blind in his right eye, and he believes his eyes were affected to the extent that they are by service in the Army."

Albert L. Masters testifies that he has been acquainted with claimant for the past thirty-five years, and his eyes have been badly affected ever since his discharge in 1865; and further declares that he is totally blind in his right eye and the left eye is in a bad condition.

Jacob McAller and Edward Beagley testify that claimant's eyes, after his return home, immediately after his discharge, were very much affected, and in about one year he became entirely blind in the right eye, and the other eye is badly affected.

The committee are of the opinion that it is abundantly proven—

1. That the soldier's eyes were sound at the time of his enlistment.

2. That his eyes were sound during all his service in the Army up to the time of his sickness in July, 1865.

3. That the preponderance of testimony is to the effect that the loss of his right eye and the injury to the other were caused by said sickness and exposure on his way home after final discharge.

He is proven to be a man of excellent character, and to have been a faithful soldier all through the war. The committee believe this to be a meritorious case, and therefore submit a favorable report and recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. WILBER. I ask unanimous consent that House bill 5249 may be taken up for present consideration.

Mr. DINGLEY and others demanded the regular order.

JOHN E. SMITH.

The next business on the Private Calendar was the bill (H. R. 130) granting a pension to John E. Smith.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to cause to be placed on the pension-roll, subject to the provisions and limitations of the pension laws, the name of John E. Smith, late a private in Company B, Fifty-ninth Regiment Indiana Volunteer Infantry.

The report (by Mr. MATSON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 130) granting a pension to John E. Smith, have had the same under consideration, and submit the following report:

The record of this soldier's service is as follows: He was drafted in December and mustered January 10, 1865, as a private in Company B, Fifty-ninth Indiana Volunteers, and was honorably discharged July 17, 1865.

He was granted a pension of \$2 per month, commencing July 18, 1865, and ending March 17, 1880, for chronic diarrhea contracted in the Army while in line of duty. The pension was discontinued for the reason, as stated by the Commissioner of Pensions, that the disability had ceased. The history of this case as gleaned from the papers on file in the Pension Office is about as follows:

The soldier was drafted, mustered into the service, and hurried away from a cold northern climate to South Carolina, where he was put into active service with veteran soldiers who had become acclimated and hardened to the severe duties of army life, and while he was doing picket duty at Pocatigo Station, on the line of the Charleston and Savannah Railroad, there were continual heavy rains, and he was frequently drenched through and through, and in this way caught a severe cold in his head, and at the same time was suffering with chronic diarrhea, which he had contracted some time previous. This cold was followed by a severe dizziness in his head. The cold lasted ten days or two weeks and the dizziness has continued ever since. This dizziness continued increasing until the 21st of November, 1868, when he was completely prostrated by a stroke of paralysis of the right side, since when he has not been able to perform any manual labor.

The evidence of several of his comrades, members of the same company, all tends to corroborate the facts above set forth. He received no hospital treatment, although it is in evidence that he several times applied to the regimental physician, but for some cause which does not clearly appear, no treatment was given him. The war was then near its close, and the soldier states that the surgeon was absent most of the time, and the assistant surgeon, for the reason that he was able to perform duty, did not think it worth while to prescribe for his chronic diarrhea. There is no dispute that the soldier contracted the disease while in the line of duty in the Army, and that it continued until after he was stricken with paralysis. The testimony, which is quite voluminous, all goes to show that he was greatly emaciated when he returned home from the Army, and that up to the time he was prostrated with paralysis he was able to perform but little manual labor.

Special Examiner John W. Clampitt, to whom the case was referred, made, among other things, the following report, August 14, 1885:

"He (the soldier) appears to be frank and honest in his statements, and bears a good reputation in the community for veracity, sobriety, and good morals. He is almost totally disabled for the performance of manual labor, the right side of his body having been completely paralyzed by a stroke which occurred on the 21st day of November, 1868."

Dr. M. F. Smith, who treated him after his discharge for chronic diarrhea, says he was informed by reliable parties that immediately after his discharge he was in a state of general debility and nervous prostration, which preceded the stroke of paralysis, and this is corroborated by Dr. Luther Johnson, who treated him prior to and at the time of his prostration by paralysis.

His claim was rejected by the Pension Office on the ground that the evidence was not sufficient to establish the fact that paralysis resulted from chronic diarrhea contracted in the Army while in line of duty. The soldier is in a physical condition which totally prevents him from earning a living by manual labor, and, being in entirely destitute circumstances, he is dependent on his neighbors and friends and public charity for support.

The committee believe, after a careful consideration of this case, that there is a strong probability that paralysis was the result of general prostration, arising from chronic diarrhea, contracted in the Army while in the line of duty; and, so believing, submit a favorable report and recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. BAKER, of New York. I ask unanimous consent that the rest of the evening be devoted to taking up bills out of their order when called up by gentlemen particularly interested in them.

Mr. SAWYER. I object.

Mr. WILBER. I have to leave the city and will be gone for two weeks. I ask unanimous consent that the bill I have already indicated be now taken up.

The CHAIRMAN. The regular order is demanded.

Mr. MACDONALD. I think gentlemen who come here to look after their bills should have an opportunity to present them. I give notice that if that is not agreed to I will demand a quorum on every bill.

Mr. BLAND took the chair as Chairman of the Committee of the Whole.

HANNAH VARQUISON.

The next pension bill on the Private Calendar was the bill (H. R. 431) granting a pension to Hannah Varquison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the limitation of law, the name of Hannah Varquison, widow of John M. Varquison, late private in Company A, One hundred and forty-first Regiment of Pennsylvania Volunteer Infantry.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 431) granting a pension to Hannah Varquison, submit the following report:

The claimant in this case is the widow of John M. Varquison, private of Company A, One hundred and forty-first Regiment of Pennsylvania Volunteers. The soldier at the time of his death was receiving a pension for disease of the lungs. The application of the widow was rejected on the ground that the fatal disease was not due to the disease of the lungs. The cause of the soldier's death, as shown by the evidence on file, was congestive apoplexy, complicated with lung disease.

The physician attending him at the time of his death says that he was first taken sick with congestive apoplexy. The second day he had an attack of pleurisy of the right side. His lungs troubled him from the first; expectoration

indicated chronic pneumonia, but the immediate cause of his death was that the cerebral hyperdermia produced strangulation.

Your committee are utterly unable to decide from the evidence submitted to them whether the immediate cause of the death of the soldier was from the lung trouble or disease of the brain, but it seems absolutely certain that at the worst the brain trouble only hastened his death a few weeks or months, as death must have resulted from the lung trouble before many months.

Your committee therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with a favorable recommendation.

ORDER OF BUSINESS.

Mr. DOCKERY. I ask unanimous consent to make a brief statement.

There was no objection.

Mr. DOCKERY. I desire to make a suggestion for the consideration of the Committee on Invalid Pensions. It is fair to members of this House who come here on Friday evenings that if one is to be recognized to call up a bill on a particular evening, all present should be recognized. That is impossible if the calling up of bills by unanimous consent begins about 9 o'clock. The result is that ten or fifteen members go away from here every evening without recognition. I suggest to the Committee on Invalid Pensions that hereafter we either have the regular order the entire evening, or that we have the calling up of bills by unanimous consent commence at 8 o'clock, so that every gentleman here may be recognized. It is not fair that some should be recognized and some should not be.

Mr. WEBER. I suggest that the regular order be observed; but that unless gentlemen are here in person to call up bills when they are reached on the Calendar they be passed over, retaining their place on the Calendar.

Several members called for the regular order.

The CHAIRMAN. Unanimous consent not being given, the Clerk will call the next bill on the Calendar.

Mr. DOCKERY resumed the chair as Chairman of the Committee of the Whole.

WILLIAM J. MILLER.

The next pension bill on the Private Calendar was the bill (H. R. 4519) to grant a pension to William J. Miller.

Mr. OUTHWAITE. I ask that that bill be passed over.

Mr. MORRILL. I object.

Mr. OUTHWAITE. The gentleman from Kansas had a favor granted him, and should not object to other gentlemen present getting an opportunity to be recognized.

Mr. MORRILL. So far as I am concerned I am perfectly willing that the gentleman from Ohio [Mr. OUTHWAITE] should be permitted to call up a bill for himself. This bill, however, that is now reached upon the Calendar is one in which my colleague [Mr. ANDERSON], who is out of the city, is much interested. And I should feel that I was doing him much injustice if I did not insist on its being considered in its regular order.

Mr. OUTHWAITE. Then it seems the rule which was suggested a few moments ago is to be violated in favor of gentlemen who are absent.

Mr. MORRILL. I understood the suggestion to be that if no one present called up a bill when it was reached on the Calendar it should be passed over.

Mr. MACDONALD. I think when the gentleman from Kansas states that he calls up the bill at the request of his colleague no objection should be made.

Mr. OUTHWAITE. I withdraw my objection.

The bill (H. R. 4519) to grant a pension to William J. Miller was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of William J. Miller, of Salina, Kans., late a private in Company G, One hundredth Pennsylvania Volunteers, on the pension-roll, subject to the restrictions and limitations of the pension-laws of the United States, to be paid a pension from.

The Committee on Invalid Pensions recommended the following amendment:

Strike out the words, in line 8, "of the United States, to be paid a pension from."

The report (by Mr. MORRILL) was read in part.

Mr. MACDONALD (interrupting the reading). I ask unanimous consent that the further reading of the report be dispensed with. It is manifestly a good case.

There was no objection, and it was so ordered.

The report is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4519) granting a pension to William J. Miller, submit the following report:

The claimant in this case enlisted October 2, 1862, as a private in Company G, One hundredth Pennsylvania Volunteers, and was discharged April 2, 1865. He filed an application for pension in 1865, claiming that while detailed to drive teams at division headquarters a mule threw him and injured his back very severely. The claim was rejected in the Pension Office upon the ground that no disability in a pensionable degree on account of rheumatism has existed since filing the claim.

The evidence shows that claimant was discharged for chronic rheumatism the 2d day of April, 1865, and that his general health was so much injured as to unfit him for the Veteran Reserve Corps.

The late assistant surgeon of the One hundredth Pennsylvania certifies, October 15, 1865, that he has that day carefully examined claimant and finds that

he is suffering from an injury to the spinal column and lumbar muscles as the result of a hurt said to have been received while in the service.

"The injury to this man I believe to be permanent and unfits him entirely for the prosecution of his profession. He is compelled to walk with a cane and can not stoop to the ground for anything without getting down on his knees, and in my opinion, he is totally and permanently disabled."

I. P. C. Murdock, Henry A. Miller, and others testify that when he came home from the service he was suffering severely from rheumatism.

The examining board of Kansas City, Mo., reports that claimant walks with an unsteady gait and can hardly walk at all with eyes closed; there is tenderness and loss of sensibility at junction of sacral with spine. His back and hips appear to be stiff and yet no real ankylosis. They report him totally disabled.

The claimant seems to have been unable to establish the origin of his disability, as claimed, from the fact that having been detailed at headquarters he was away from his comrades and those who knew him intimately. The fact that he suffered severely from rheumatism in the Army seems to be clearly shown by hospital records and by evidence of his officers and comrades; that he was suffering at the time of his discharge and has been suffering ever since is established beyond a question of doubt.

That he was sound at enlistment is equally certain. The papers have been in the hands of many special examiners, and, without exception, they all reported that there is merit in the case, and that if the injury by being thrown from the mule could be established the case would be a clear one. The matter seems to be very much mixed up as to the real cause of the disability. The claimant has failed to establish the fact of the alleged injury, but has shown conclusively that he suffered in the service from rheumatism. It may be possible that what was called rheumatism in the service was simply the result of the injury, and this seems highly probable from the fact that the surgeon of the regiment certified soon after discharge that the man was suffering from injury to the spine.

The examining board now reports the disability, but do not attribute it to rheumatism.

It seems to your committee that it makes very little difference what the doctors call it, so long as the disability and the suffering existed, and there can be no doubt but that the disability was incurred in the service, and that it existed at the time of discharge and has continued ever since and the man is totally disabled.

Your committee therefore recommend the passage of the bill with an amendment, striking out all after "laws," in line 7.

The amendment of the Committee on Invalid Pensions was agreed to, and the bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MRS. JULIET G. HOWE.

The next pension bill on the Private Calendar was the bill (H. R. 8117) granting a pension to Mrs. Juliet G. Howe.

Mr. OUTHWAITE. I ask that this bill be passed over, if no gentleman desires its consideration to be proceeded with.

Mr. LAIRD. I ask that the Senate bill granting a pension to Mrs. Juliet G. Howe be substituted for the House bill. The two bills are identical.

There being no objection the bill (S. 300) granting a pension to Mrs. Juliet G. Howe was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Juliet G. Howe, a volunteer nurse during the late war, and pay her a pension at the rate of \$25 per month.

The bill was reported with an amendment to strike out in line 7 "\$25" and insert "\$18."

Mr. SAWYER. What is the pension fixed by the House bill?

Mr. MORRILL. The House bill gives \$18.

Mr. LAIRD. I think I can make a statement of the facts which will be somewhat shorter than the statement of them in the report.

Objection was made.

The report on the Senate bill (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 300) granting a pension to Mrs. Juliet G. Howe, submit the following report:

This committee has already reported a House bill placing this lady upon the pension-roll at the rate of \$18 per month.

Your committee therefore recommend the passage of the bill with an amendment striking out the words "twenty-five" and inserting the word "eighteen."

Mr. McMILLIN. Is that all the report? Let the report on the House bill be read.

Mr. LAIRD. That is what I wanted permission to state. I have the report on the House bill in my hand.

The report on the House bill (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8117) granting a pension to Mrs. Juliet G. Howe, submit the following report:

The Senate Committee on Pensions reported a similar bill in the Forty-ninth Congress and again in the Fiftieth Congress. Your committee adopt the report of that committee, as follows:

"[Senate Report No. 15, Fiftieth Congress, first session.]

"That Mrs. Juliet G. Howe served during the war with great distinction as an army nurse, and is now suffering from disease contracted during such service.

"The records in the office of the Surgeon-General show that Juliet G. Howe (at that time Juliet G. Robbins) served as nurse in Hammond General Hospital, Point Lookout, Maryland, from August 3, 1862, to October 5, 1863; at Columbian College General Hospital, Washington, D. C., from June 6, 1864, to August 30, 1864, and at De Camp General Hospital, David's Island, New York Harbor, New York, from September, 1864, to September 19, 1865.

"At all places she served with great acceptance to the sick and wounded soldiers and the surgeons in charge, and received flattering testimonials from them.

"April 24, 1865, a testimonial, signed by nearly one hundred soldiers, says: "She has always been kind to us, and we shall always remember her with pleasure. She is indeed the soldier's friend."

"At Point Lookout, Maryland, Assistant Surgeon Allen, United States Army, said:

"Faithful, efficient, always cheerful, beloved by the patients universally. A better nurse could not be obtained. She has had my warmest thanks, and has my heartiest indorsement."

"William H. Gardner, assistant surgeon, United States Army, on October 8, 1863, at Hammond General Hospital, says:

"It gives me much pleasure to testify to the character and qualities of Mrs.

Juliet G. Robbins (now Howe), who has long been a nurse in this hospital. * * * In her wards she was kind and attentive to the sick and wounded under her care, ever ready to relieve their wants, and never sparing of labor or pains which could conduce to their happiness or comfort.

"At same hospital, April 10, 1866, Th. Siebold, acting assistant surgeon, United States Army:

"I take pleasure in offering this trifling mark of regard for Mrs. Juliet G. Robbins (now Howe) and Mrs. M. S. Poole, who have so faithfully attended in my ward since the 20th December last."

"The above indorsed by S. H. Allison, acting assistant surgeon, United States Army, and surgeon of volunteers.

"At De Camp General Hospital, May 22, 1865, T. E. Martindale, assistant surgeon, United States Volunteers, says:

"My connection with this hospital being about to terminate, I find it difficult to leave without tendering you this expression of my high esteem for you * * * I testify to your untiring devotion, your unceasing attention, and your success in ministering to the patients, * * * and the eminent abilities you have displayed in your profession of nurse."

"This and other testimonials, and the proof of disease and suffering from the sacrifices she then made, satisfy your committee she is entitled to the pension she seeks, and they report said bill favorably.

"Your committee have made diligent inquiry at the offices of Adjutant-General, United States Army, and Surgeon-General, and can not find that the said nurse was paid for any such service."

The committee recommend the passage of the bill; but also recommend that the words "twenty-five," in line 7, be stricken out and the word "eighteen" be inserted.

The amendment striking out "\$25" and inserting "\$18" was agreed to.

The Senate bill (S. 300) as amended was ordered to be reported to the House with a favorable recommendation; and the House bill (H. R. 8117) was ordered to be reported with the recommendation that it do lie on the table.

Mr. WILBER. I ask unanimous consent to have the bill H. R. 5249 taken up now, as I expect to be absent for two weeks.

Mr. SPOONER. I call for the regular order.

The CHAIRMAN. The regular order is called. The Clerk will report the next bill.

ABBIE R. BROWN.

The Clerk read as follows:

A bill (H. R. 7642) granting a pension to Abbie R. Brown.

Mr. FORD. Mr. Chairman, unless the gentleman who introduced that bill is present to ask for its consideration, or some member calls for its consideration, I ask unanimous consent that it be laid aside, retaining its place on the Calendar.

There was no objection, and it was so ordered.

HANNAH H. GRANT.

The Clerk read the title of the next bill, as follows:

A bill (H. R. 7466) granting a pension to Hannah H. Grant.

Mr. OUTHWAITE. Mr. Chairman, I ask unanimous consent that that bill be laid aside, retaining its place on the Calendar.

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

Mr. MORRILL. Mr. Chairman, in order to save time I suggest that the Clerk read the bills in their order on the Calendar, and when a bill is read, if no member asks for its consideration let it be laid aside, retaining its place on the Calendar.

There was no objection, and it was so ordered.

FRANK LEWIS.

The next bill on the Calendar, the consideration of which was asked by Mr. DINGLEY, was the bill (H. R. 7574) granting a pension to Frank Lewis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension-roll, subject to the pension laws, the name of Frank Lewis, non compos son of Franklin Lewis, Company B, First Battalion Infantry Maine Volunteers.

The report (by Mr. GALLINGER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 7574) granting a pension to Frank Lewis, respectfully report as follows:

Claimant is the son of Franklin Lewis, late of Company B, First Battalion Infantry Maine Volunteers. The father died from his army service in Washington, D. C., and the widow drew a pension until her remarriage. The claimant also drew a pension until he was sixteen years of age. It is now asked that a pension be granted on the ground of physical and mental unsoundness to an extent which wholly incapacitates claimant from earning a living. On this point conclusive evidence is filed with the committee, among which are the following papers:

"PEMAQUID, LINCOLN COUNTY, MAINE, February 15, 1888.

"This is to certify that I have examined Frank Lewis, and I find in him a congenital deficiency of cerebral development, whereby I consider him incapable of properly managing his financial affairs or of maintaining himself; and I further declare that I have no interest, direct or indirect, in the above statement.

"W. S. BRAINERD, M. D.

"Personally appeared before me, N. J. Hanna, a justice of the peace in and for the county of Lincoln, this 15th day of February, A. D. 1888, and made oath to the above affidavit,

"N. J. HANNA, Justice."

NEW HARBOR, ME., February 4, 1888.

"I, Robert A. Brackett, do depose that I am the last legal guardian of Frank Lewis, the son of Franklin Lewis, late of Company B, Regiment First Battalion Infantry of Maine Volunteers, and that I have been his legal and lawful guardian since he was fourteen years of age. I further depose that he was about two years of age when I married his mother, and that she was then

drawing a pension for her husband, Franklin Lewis, late of Company B, First Battalion Infantry of Maine Volunteers, which was conferred upon her son, Frank Lewis, and that he continued to draw said pension until he was sixteen years of age.

"I further depose that I have supported the said Frank Lewis since he was sixteen years of age, and that he is not of sound mind, but, in other words, mentally and physically affected and wholly incapacitated to self-support, and that he has no other means of self-support save what I procure. I have a large family of my own and can not support them as they should be, having no income but what my own hands produce. I married his mother about twenty years ago, and have no interest in this matter further than he is my wife's son and that I am wholly unable to support an idiotic boy whose father died in the service of his country.

"ROBERT A. BRACKETT.

"Witness:

"CHAS. LOLAND.

"WILLIAM HARMON."

"Personally appeared before me, N. J. Hanna, a justice of the peace in and for the county of Lincoln, the said Robert A. Brackett, and made oath to the above affidavit.

"N. J. HANNA, Justice.

"This 16th day of February, A. D. 1888."

This case seems to come directly within the precedents of Congress.

Your committee recommend that the bill be amended by inserting after the word "volunteers," in the last line, the words "at the rate of \$18 per month, payable to his legal guardian," and with these amendments recommend the passage of the bill.

The amendment recommended by the committee was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ELIZABETH TWIGG.

The next bill on the Calendar, the consideration of which was asked for by Mr. SPOONER, was the bill (H. R. 5847) granting a pension to Elizabeth Twigg.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll the name of Elizabeth Twigg, as dependent mother of Henry Twigg, late a member of Company H, Fourteenth Regiment United States Infantry, and pay her a pension, subject to the provisions and limitations of the pension laws.

The report (by Mr. SPOONER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5847) granting a pension to Elizabeth Twigg, respectfully report:

Elizabeth Twigg is the mother of Henry Twigg, who was a private of Company H, Fourteenth Regiment United States Infantry.

The soldier enlisted in said service July 16, 1861, and was discharged January 15, 1862, upon surgeon's certificate of disability, and died June 14, 1866, leaving neither widow nor minor child surviving him.

The mother's claim for pension was rejected by the Pension Office on the ground that no record or other evidence established that death of soldier was due to the service and line of duty.

The soldier's discharge, as stated in said certificate of disability, was because of hernia, which entirely disabled him from duty as a soldier. It is also stated in said certificate that "said Henry Twigg had hernia when enlisted," though all other testimony on file, of his comrades and neighbors, attests his soundness prior to and after enlistment, and (which seems conclusive of the fact) the examining surgeon certified in the soldier's original enlistment papers, that he carefully examined said Twigg, "and that in my opinion he is free from all bodily defects and mental infirmity which would, in any way, disqualify him from performing the duties of a soldier."

The evidence also shows the continued good health of the soldier until the time of the sickness which resulted in his discharge, the cause and course of which is stated by Sergt. W. H. Myers, of the same company, as follows:

"I first met him at Fort Trumbull, Conn., on or about August 15, 1861. Shortly after the regiment was ordered into Camp Thomas. Never knew him to be sick in said camp. Shortly after the regiment was ordered to Perryville, Md., arriving on or about 1st November, 1861. I remember Twigg doing picket duty with me up the river some time in November, 1861. * * * I was sergeant of the guard.

"I remember it being a cold, stormy time; wood wet; men shivering and wet, and insufficient tenting to protect the men. I remember Twigg from the fact he seemed to be always the life of the company—jovial and happy. On this occasion he was taken sick. Twigg complained to me of aching pains in head, breast, and over the abdomen, claiming he had caught a severe cold, which indications proved to me by his hoarseness and continued coughing. I ordered him to camp. * * * and afterwards saw him in regimental hospital, to my judgment a very sick man. * * * Twigg seemed to me to be entirely broken down."

A special examiner of the Pension Office reports said Myers's "reputation and standing good—A, No. 1."

The public record of said soldier's death states "abscess" as "disease, or cause of death."

Dr. A. C. Dedrick, formerly an army surgeon, testified that he attended the soldier professionally, after his discharge until his death, and that—

"He was suffering from hernia and a broken-down constitution generally, as regards health, arising, as I was informed and believe, from exposure while in the Army. * * * Near the close he had a large inguinal abscess, which opened externally, after which he rapidly sank. Whether in his case the immediate cause of death was more the result of this than from the general break up of the powers of life—a distinction of infinitely small moment if justice is the object in view—at this late date I am quite unable to say."

The fact is clearly established that, from the time of his discharge to the time of his death, the soldier was completely broken down in constitution and health, unable to perform any manual labor, and continually growing weaker until he died.

The mother has been a widow for many years; she is without property, and dependent upon her own labors for support; and her dependence upon her said son, prior to his enlistment, is established.

Your committee, being satisfied that the disease of which the soldier died resulted from his military service and the exposure and hardships incurred therein, recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

HENRY B. VERY.

The next bill on the Calendar, the consideration of which was asked

by Mr. SPOONER, was a bill (S. 173) granting a pension to Henry B. Very.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Henry B. Very, late a private in Company A, Twelfth Rhode Island Volunteers.

The report (by Mr. SPOONER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 173) granting a pension to Henry B. Very, respectfully report:

That the Senate report upon said bill is as follows:

"[Senate Report No. 117, Fiftieth Congress, first session.]

"The Committee on Pensions, to whom was referred the bill (S. 173) granting a pension to Henry B. Very, have examined the same, and report:

"Henry B. Very was a private in Company A, Twelfth Rhode Island Volunteers, serving from the 3d of October, 1862, to the 23d of March, 1863, when he was discharged on account of disability. He was wounded at the battle of Fredericksburgh, December 13, 1862, and remained in hospital up to the time of his discharge. He received a flesh wound in the left arm, and was also knocked down an embankment by the concussion of a passing shell, injuring his shoulder, hip, and foot. From the testimony of a well-known physician, Dr. James H. Eldredge, who had treated him, and from the report of the board of examining surgeons at New London, Conn., it is clear to your committee that the disability from which the claimant is now suffering was incurred in the service and in the line of duty, resulting from wounds above alluded to.

"Your committee therefore recommend the passage of the accompanying bill."

Your committee further report that from an examination of the papers on file in the Pension Office it further appears that said soldier was discharged the service March 23, 1863, upon surgeon's certificate of disability "because of sprained right foot at Fredericksburgh, Va., December 13, 1862, by falling down an embankment; unable to use the foot properly and toes everted; disability one-eighth;" that the cause of said fall was the concussion or blow of a passing shell; that in the prosecution of his pension claim he was three times examined by boards of examining surgeons—once by the board at Providence, R. I., which reported no disability, but of whose hurried and careless examination the claimant bitterly complained to the Pension Office, as appears by his letter and affidavit on file—and twice by the board at New London, Conn.

In their report of their first examination of the soldier, the New London board say he "presents the general picture of broken constitution, probably resulting from some severe shock to nervous system; slight right lateral curvature of spinal column;" and express their opinion that his disability, resulting from his wound and other injuries, for a portion of same should be rated at "total," and for others "three-fourths of total." In their report of their second examination the same board say that this further examination reveals nothing beyond what they had stated as to their former examination.

The Pension Office seems to have relied entirely upon the report of the Providence board in rejecting the soldier's claim; but your committee are of the opinion that the careful and particular report of the New London board is entitled to the higher consideration, and that the current of the testimony very clearly shows the origin, continuance, and existence of disability incurred in the service and line of duty, in actual battle, for which the soldier should be allowed a pension.

Your committee therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. OUTHWAITE. Mr. Chairman, I now ask unanimous consent to have a bill considered, for the reason already given, that I can not be here on the next Friday session.

Mr. SAWYER. I desire to object on the ground—

Several MEMBERS. Do not object.

Mr. SAWYER. Hear me through, if you please. I desire to object on the ground that a gentleman here [Mr. WILBER], a friend of mine, who is also going away to be absent for two weeks, has asked to have a bill considered and objection has been made on the other side of the House. Now, I object to this request coming from that side.

Mr. OUTHWAITE. One recognition of this kind has been conceded to your side. Mr. Chairman, I move that the committee now rise.

Mr. MACDONALD. I would state to the gentleman from New York [Mr. SAWYER] that the objection to the consideration of his friend's bill came from the other side the last time.

Mr. WILBER. I hope that any gentleman who has objected to the request of the gentleman from Ohio [Mr. OUTHWAITE] will withdraw his objection.

Mr. McMILLIN. As both of these gentlemen [Mr. OUTHWAITE and Mr. WILBER] have indicated that they can not be present at next Friday evening's session, I suggest that they both be recognized to have their bills considered.

Mr. SAWYER. With that understanding I am perfectly willing to withdraw my objection.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Ohio [Mr. OUTHWAITE] and the gentleman from New York [Mr. WILBER] be permitted to have the bills indicated by them considered. Is there objection?

There was no objection, and it was so ordered.

MARY M. SWEET.

Mr. OUTHWAITE called up for consideration the bill (H. R. 955) granting a pension to Mary M. Sweet.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary M. Sweet, the widow of George W. Sweet, late a private in Company A, Seventy-third Regiment Ohio Volunteer Infantry.

The report (by Mr. YODER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R.

955) granting a pension to Mary M. Sweet, have had the same under consideration, and beg leave to submit the following report:

Mary M. Sweet is the widow of George W. Sweet, who enlisted in Company A, Seventy-third Regiment Ohio Volunteers, November 12, 1861, and was discharged upon surgeon's certificate of disability May 5, 1864, because of gunshot wound of head of left tibia, received in the battle of Gettysburgh, Pa., July 2, 1863, which resulted in necrosis and adhesion. For this disability he was pensioned, and in receipt of pension at the rate of \$14 per month at date of his death, July 3, 1885. The widow's claim has been rejected on the ground that in the opinion of the medical referee of the Pension Bureau the death cause is not chargeable to his military service.

Dr. T. Irwin testifies that he first became acquainted with the soldier in 1873; then treated him for a combination of neuralgia and rheumatism, affecting his lower limbs, especially the left, and back. Soldier attributed his trouble to the wound of left leg. Treated him again for neuralgic troubles in April, 1875. About June, 1885, affiant examined soldier and found him suffering from a continual and distressing cough, hurried breathing, weak and rapid pulse, great emaciation, presenting altogether a clear case of the latter stages of phthisis pulmonalis. Just prior to his death he also suffered from oedema of feet, extending to knee of wounded leg.

Dr. W. G. Dawson testifies that he has treated soldier more or less from his return from the Army until his death, during which time his nervous system was much impaired; gave him special care from February 15, 1885, till near his death, and considers his death the result of his old and chronic troubles, which had gradually undermined his life power.

It is shown that about January, 1885, soldier received an additional injury to his side by reason of a fall received while walking along the road. The wounded limb gave way, throwing him upon a rock, and from that time on he commenced falling rapidly.

The widow's case is greatly strengthened by a careful examination of the papers in the invalid claim. As far back as 1872 he made claim for increase of pension on account of neuralgia caused by the wound, rheumatism, disease of lungs and heart, and in support of his allegations filed what appears to your committee evidence sufficient to have granted him pension in addition to that granted him for the wound had the laws then in force permitted such action.

The medical examinations in the case afford additional proof of the justice of the widow's claim. An examination in May, 1867, reveals the existence of heart disease in no small degree. One in March, 1868, shows the same. The certificate of examination of October 15, 1872, shows rheumatism of spinal chord, left shoulder, and lumbar regions, which the surgeon says may fairly be ascribed to deranged vital action and the establishment of a rheumatic diathesis from primary injury. September 6, 1875, an examining surgeon makes the following certificate:

"Exit on outer aspect of leg, fracturing the tibia and fibula. On the tibia the cicatrix is deep and adherent, permitting the introduction of the finger to the depth of an inch. Muscles of limb atrophied. Biceps muscle contracted. I find an impaired condition of general health by reason of rheumatic diathesis by reason of the wound. He is emaciated and countenance pale."

Subsequent examinations point to a continuous decay of the vital powers, marked emaciation, and, finally, well-developed disease of lungs. The statement made by Dr. Dawson, heretofore referred to, to the effect that the soldier's death was the result of "his old and chronic troubles," would seem justifiable from the whole history in the case, as appears by the several medical examinations in the case. There is no doubt in the minds of this committee as to the direct connection between the soldier's death cause and his military service. The claim of the soldier for the additional disabilities alleged as far back as 1872 appears to have been ignored entirely in the latter adjudication of his increase applications, which in a measure accounts for the rejection of the widow's claim.

Believing the claim meritorious, your committee report favorably on the accompanying bill and ask that it do pass.

The bill was laid aside to be reported to the House with a recommendation that it do pass.

CHARLES H. SMITH.

Mr. WILBER called up for consideration the bill (H. R. 5249) granting an increase of pension to Charles H. Smith.

The bill was read, as follows:

Be it enacted, etc., That the present pension of Charles H. Smith, late corporal Company K, Seventy-sixth New York Volunteers, be increased from \$31.25 to \$100 per month, and that the Secretary of the Interior be, and he is hereby, authorized and directed to place his name on the pension-roll at the increased rate above mentioned.

Mr. McMILLIN. Let us have the report in that case read.

The report (by Mr. SAWYER) was read in part.

On motion of Mr. BAKER, of New York, the further reading of the report was dispensed with.

The report is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5249) granting an increase of pension to Charles H. Smith, submit the following report:

That this is one of the most remarkable cases to which the attention of the committee has ever been called. The number and the severity of the wounds received, the suffering consequent thereon, are among the marvels in the surgical history of the war. The sad and pitiable condition in which the beneficiary has lived for the past twenty-four years, and in which he must continue during his whole future life, renders him an object of great sympathy. Two of the committee, physicians themselves, have made a personal examination of the soldier, the conditions of his wounds, and their effects, and fully corroborate the medical evidence attached to this report.

The committee have attached hereto and made a part of this report the statement of the soldier, the letter of Dr. D. S. Foster, one of the prominent surgeons of this city, and the medical examination of Drs. Foster and Baker, extracts from the Medical and Surgical History of the War of the Rebellion, and a letter from Captain Currier, an officer in the soldier's regiment. The high personal character of the soldier is fully established.

The soldier can not receive at the Pension Office the relief to which the committee think he is entitled.

He first was allowed a pension of \$8 per month, which has been increased to \$31.25, the highest sum he can receive under the law as it now is.

The committee are strongly of the opinion that the soldier is entitled to the relief asked, and they therefore recommend that the bill do pass with the amendment striking out the words "one hundred," in the fifth line, and inserting in the place thereof the words "seventy-two."

WASHINGTON, D. C., March 2, 1888.

"DEAR SIR: Some five weeks ago, after having seen my wounds, and having learned of their general condition, you introduced a bill in the House of Representatives for an increase of pension therefor, and that the committee (who has said bill in charge) may more readily understand and appreciate their nature, I will make a brief statement relative thereto, and of my services during the late war.

"I enlisted in the United States service, in the town of Cherry Valley, Otsego County, New York, October 14, 1861, being then but sixteen years old; leaving a widowed mother, who at that time was, and is to-day, dependent upon me for support.

"From the time of my enlistment to that of receiving my wounds, I was not absent from regimental duty two days, either from sickness or otherwise.

"I participated in the following engagements: Rappahannock Station, August, 1862; White Sulphur Springs, August, 1862; Gainesville, August, 1862; Bull Run, August, 1862; South Mountain, September, 1862; Antietam, September, 1862; Union, November, 1862; Fredericksburgh, December, 1862; Chancellorsville, May, 1863; Kelley's Ford, June, 1863.

"I will here state that in all of the above engagements my regiment lost both in killed and wounded; in some more, in some less.

"On the 1st of July, 1863, my regiment opened the battle of Gettysburgh, and during the forenoon of that day I received the following wounds:

"The first ball passed through my left thigh; the second ball entered the left groin, passed through the body, and came out at the right hip; the third ball entered above the left hip, passed through the body, fracturing the spinal column, and while lying prone on my face a shell bursting over me tore off a large portion of my right buttock, and in this condition I lay upon the battle-field, much of the time unconscious, for four days, without any assistance or nourishment whatever, the rebels taking my canteen of water, my haversack, shoes, and stockings.

"On the night of the 4th of July my comrades found and carried me to what is known as the McPherson barn, and after divesting me of my clothing wrapped me in a blanket and laid me in the cow-shed.

"On the morning of the 5th I discovered that I was submerged and almost drowned in cow ooze. In this condition I remained until the afternoon, when I was taken from this barn shed, carried to a tree near by, where my comrades wiped me off with straw, and applied to the Christian Commission agents for assistance, and from them I received the first nourishment since the early morn of July 1.

"I was then put on a stretcher and carried to the town of Gettysburgh. On the way I met the regimental surgeon, Dr. Metcalf, who examined my wounds, and told me that if I desired to send any communication to my mother that I had better do so at once. He then gave directions where I should be taken.

"I was placed in an old freight warehouse where there were two amputating tables, and where only those were brought whom the surgeons considered incurable. Here I remained until the 17th of July.

"I was totally helpless, unable to move hand or foot, and was nursed by a comrade. Here it was, after my wounds had been bathed and I had taken nourishment, that I realized the full extent of my wounds. I then discovered my food, in a partially-digested condition, passing out through my wounds on my left side and back, and for nine months all that I ate passed out in this way. I had no regular passage of the bowels during the nine months or more.

"From this building I was taken to an express company building, by Sergt. William H. Myers, where I remained a few days, and was then taken to the private residence of Mr. Robert Sheads, where I remained until December in this helpless condition.

"I had no regular physician, but strange surgeons called continually to examine my wounds. I had no operation performed, took no medicine, as most of the surgeons informed me that it was impossible for me to recover, while some few said that 'while there was life there was hope.'

"From Gettysburgh I was taken on a cot bed to the Citizens' Hospital, corner Broad and Prime streets, Philadelphia, and from there to the Cuyler Hospital, Germantown, where I remained until my term of enlistment expired, and was discharged on the 24th of October, 1864.

"At the time of my discharge I was able to move about with the assistance of two canes, and from that time until the present, a period of twenty-four years, I have had to dress my wounds two, three, and four times each day. The dressing consists in bathing with a sponge and water, applying linen cloths, with a bandage 8 yards in length and 4 inches in width wrapped around my body.

"From the nature of these wounds it is necessary that an orifice be kept open to allow the gases to escape from the stomach, the gathering of which causes the most intense agony, so that it is necessary to have the services of a surgeon very frequently.

"Suppuration continually goes on, and a constant discharge therefrom.

"There have been times when I have been confined to my bed for months, and have had the almost constant attendance of a physician during all these years.

"I have thus briefly stated my condition, and if you think it advisable, and the Committee on Pensions desire, I will gladly appear before them and show my wounds, that they may judge for themselves as to the truth of the matter and the simple justice of my claim.

"From the above you may think that I am complaining of my country for not dealing more liberally with me, but of this fallacy I desire to disabuse your mind. I did not enlist in the service of my country for the compensation which she then paid her soldiers, nor for the pension which she might award her disabled. I enlisted for the grand cause for which she was contending, irrespective of personal comfort, life, or limb. I responded to every call, performed every duty that devolved upon me until I was left helpless upon the field of carnage; and I make no complaints of my country, for I believe that if our Representatives know of and fully understand my case they will at once recognize my claim to an increase of pension and pass the bill without dissension.

"My case was reported by and appears in United States Surgeon-General Barnes's 'Medical Works of the War' (vol. 2, page 88, I think), and after President Garfield was shot, one of the attending physicians having been informed of the similarity of my case, I was examined by him. He stated that one of my wounds was of a more serious character than the President's, from the fact that in my case the intestines were cut, while in the other they were not punctured.

"The above statement is a true and accurate one, and the truth of which I am willing to certify to under oath, and applies to House bill 5249.

"Respectfully, yours,

"C. H. SMITH,

"Late Corporal Company K, Seventy-sixth New York State Volunteers.

"HON. DAVID WILBER,

"House of Representatives."

"WASHINGTON, D. C., March 7, 1888.

"SIR: My attention having been called to the bill introduced by you for the relief of Corporal Charles H. Smith, Company K, Seventy-sixth New York Volunteers, the following statement of his case is respectfully submitted:

"I have known Mr. Charles H. Smith for about fifteen years. Being called to attend him at that time, I found him suffering from wounds (four in number) received in the line of duty at the battle of Gettysburgh, Pa., July 1, 1863. (See description of wounds on accompanying paper.)

"At that time the wound described as No. 3, which had healed at the point of entrance and occasioned the most suffering, was opened, allowing a free discharge of pus, wind, and fecal matter. It soon healed, and this delicate, dangerous, and painful operation of opening the intestines has had to be performed as often as once a month, on an average, during the past fifteen years. At such times the patient is usually confined to his bed in a condition of extreme prostration, requiring attendance.

"At all times the discharges being exceedingly offensive to himself and attendants, it is necessary to dress the wounds three or four times daily with sponge and water, and to apply very thick padding to absorb the discharges; the padding being secured by bandages some 4 inches wide and 6 to 8 yards in length.

"Dr. Otis, United States Army, in Medical and Surgical History, says: 'In 59 cases of stercoral fistula, 9 remained open, 50 closed; 17 in a month, 28 in less than a year, and 5 in from one to four years.'

"In addition to the injury to the bladder and spinal column, this case presents two openings from the intestines. One remains open, the other has to be opened, as stated, and is the only case known to me where fistula, having healed, has to be opened periodically to save the patient's life. Besides the disability and suffering which it occasions, the expense attending such a condition is necessarily great, requires attendance, and leaves the patient with the conviction that he is in immediate danger at all times.

"In my opinion the case is exceptional, and deserving the most generous recognition by Congress and the Executive.

"D. S. FOSTER, M. D.,
"No. 19 Iowa Circle.

"HON. DAVID WILBER,
"House of Representatives."

"Medical examination in the case of Charles H. Smith, corporal Company K, Seventy-sixth Regiment New York Volunteers, wounded at Gettysburgh, Pa., July 1, 1863.

"The injuries appear to have been made by four distinct missiles; the first three were conical balls, the fourth a fragment of shell.

"First missile.—Wound of entrance situated on left side 1½ to 2 inches below the great trochanter. Wound of exit upon the nates of same side near the median line and just above the infragluteal fold. The ball passed deeply through the glutei muscles for a space of 7 inches.

"Second missile.—Wound of entrance in the left inguinal furrow about 2 inches from the anterior superior spine of the ilium. Wound of exit on the outer side of the right leg about 3 inches downwards and backwards from the great trochanter. The ball must have traversed the floor of the pelvic cavity and the base of the bladder, emerging through the great sciatic notch.

"Third missile.—Wound of entrance on the left side just above the crest of the ilium in the axillary line. Wound of exit near the spinous process of the third lumbar vertebra. The ball must have passed through the muscles of the abdominal wall and of the back, penetrating the descending colon behind the peritoneum and shattering the third and fourth lumbar vertebra. The bodies of the vertebrae were probably uninjured. The wound of entrance did not heal for eleven years. It then closed, but opens from time to time or requires to be opened by a surgeon in order to relieve accumulations of fecal matter and pus. In connection with the track of the ball in this wound a fistulous opening, 3 inches in length, has formed over the colon, and connected with this there are several sinuses which burrow among the muscles of the back. This fistula discharges fecal matter and pus and requires constant attention, as it is very prone to inflammation and causes much suffering.

"Fourth missile.—About 2½ inches from the spine to the right, and above the intergluteal furrow, a considerable portion of the erector spine and glutei muscles have been torn up, leaving several large scars. The cicatricial tissue is adherent to the sacrum and the fascia in the vicinity.

"D. S. FOSTER, M. D.,
"FRANK BAKER, M. D.,
"Professor of Anatomy, Georgetown University.

"WASHINGTON, D. C., March 7, 1888."

"[Case 269, page 88, Medical and Surgical History of the War of the Rebellion, part second, surgical volume.]"

"Corporal C. H. Smith, Company K, Seventy-sixth Regiment New York Volunteers, aged twenty years, was wounded at Gettysburgh, July 1, 1863, by a conical ball. He was admitted to the Seminary Hospital from the field, where he had been treated in a private house, and was afterwards transferred to the Citizens' Volunteer Hospital at Philadelphia, where he was admitted on October 3. He was transferred to Germantown March 14, and admitted to Cuyler Hospital on the same day, with 'gunshot wound of abdomen, perforating cavity and injuring intestines.' * * * and discharged the service October 24, 1864. Pension Examiner Horace Lathrop, of Otsego, New York, reported, August 30, 1866:

"Ball entered left side just above the crest of the ilium, 2 inches above the anterior superior spinous process, passed downward and backward through the wing of the ilium, and out near the last lumbar vertebra. There is now an opening in both localities, and the anterior one discharges fecal matter. The colon is probably wounded. He requires constant assistance from another person; his other wounds are healed. Disability total."

"In the Washington Post of July 10, 1881 (soon after President Garfield was shot), appeared the following:

"Dr. Pope, of this city, cites the following case of recovery from desperate gunshot wounds, which probably has no parallel in the annals of war:

"Mr. C. H. Smith, a non-commissioned officer in the Seventy-sixth Regiment New York Volunteers, at the battle of Gettysburgh, July 1, 1863, received the following wounds:

"The first bullet passed clean through the left thigh, close to the body; the second entered the left groin, through what is called Poupart's ligament, grazing the iliac blood vessels and nerves; traversed the pelvis, passing directly through the bladder and hip bones, came out a little behind the right hip-joint; the third entered the body just above the crest of the left ilium, commonly called the edge of the hip-bone, traversed obliquely the abdominal cavity, passing through the descending colon or large intestine, came out close by the spine, partially shattering the bodies of the lumbar vertebrae.

"All these wounds, by minie-bullets, were received within fifteen minutes, and finally, as the crash of battle on that part of the field rolled away, as he lay prone upon his face, a shell burst directly over him. The explosion jerked his body upward from the ground and the ragged iron tore away masses of flesh from the nates or buttocks down to the sacrum. For four days and nights he lay upon the field without food, drink, or shelter, exposed to the glaring sun and chilling dews, dozens of dead bodies lying around him, while night prowlers, ghouls of the battle-field, robbed the wounded and the slain.

"On the fifth day the relief party picked him up, rolled him in a blanket, and laid him in a cow-shed, the only shelter, where for two days he was almost immersed in cow-ooze; then he was taken to an old house, where for seventeen days he lay on his back on a hard board plank.

"The regimental surgeon looked for his death at any moment, but he lived on, improved, took not a single particle of medicine; nor were his wounds probed, the urine dribbling through the wound in the spine. Finally, after several months, he recovered to a certain extent, and now this battle-scarred veteran, modest and courteous gentleman, resides in this city."

"SHERBURNE, N. Y., March 9, 1888.

"SIR: The bill you introduced in the House of Representatives on January 16, 1888, to increase the pension of Corporal Charles H. Smith, of Company K, Seventy-sixth Regiment New York Volunteers, merits your earnest attention and the respect and favorable consideration of Congress.

"I will state for your information that I have known Corporal Smith since 1861, when he enlisted at Cherry Valley, Otsego County, New York. He was a good and faithful soldier, performing his duty satisfactorily in every particular up to the battle of Bull Run, August, 1862, when I was wounded, he remaining with the regiment until the battle of Gettysburg, where he was desperately wounded by three minie-balls and a piece of shell.

"He lay four days upon the battle-field, subject to the exposure of the intense heat of the July sun and the chilling dews of night, without any care, food, or shelter whatever.

"From time to time during the past eighteen years I have seen his wounds, and can testify from personal knowledge of their severity and the great amount of suffering which they entail upon him, and the constant care and attention which he requires in consequence thereof, both from a surgeon and an attendant.

"In conclusion, I think I but voice the sentiment of the loyal people of the country when I say I hope this act of justice will be done to one who gave up all, and freely offered his life to his country in her time of need, and has, and must ever continue, to suffer so much from wounds received in her service.

"Respectfully, yours,

"R. W. CARRIER,

"Late Captain Seventy-sixth Regiment New York Volunteers.

"Hon. DAVID WILBER,
"House of Representatives, Washington, D. C."

The amendment reported by the Committee on Invalid Pensions was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. CARUTH. I ask unanimous consent for the consideration of a bill which I will send to the desk.

Mr. SAWYER. I object.

The CHAIRMAN. The Clerk will read the title of the next bill on the Calendar.

Mr. WARNER. I can present, I think, a special reason why this bill which I hold in my hand should be called up now. I have been here at every one of these evening sessions, and I expect to be here at every one during this Congress. Therefore I would like to call up a bill by unanimous consent.

Mr. SAWYER. I object. I do not know what the special ground is.

Mr. WARNER. I say that I have been here at every evening session during this Congress, and expect to be present at every evening session hereafter. Therefore I ask unanimous consent.

Mr. SAWYER. I object.

Mr. BAKER, of New York. I am obliged to go away from the city to-night to be absent several days. I desire very much to have considered the case of a lady seventy-five years of age who is near her grave. I am exceedingly anxious to take to her the news that her bill has passed. The bill is short, and also the report.

The CHAIRMAN. The gentleman from New York [Mr. BAKER] asks unanimous consent for the present consideration of a bill for the reasons which he has stated. Is there objection?

Mr. SAWYER. I ask the gentleman whether he will be here next Friday evening.

Mr. BAKER, of New York. I hope to be; but I wish this bill passed now, so that I may take the news of its passage to this old lady.

Mr. BLAND. I think we had better go on with the Calendar.

MRS. ARABELLA CODDINGTON.

The next business on the Calendar was the bill (S. 293) granting a pension to Mrs. Arabella Coddington.

Mr. GEAR. I ask that this bill be considered.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of \$25 per month, the name of Mrs. Arabella Coddington, widow of E. H. Coddington, late captain of Company H, Forty-fifth Regiment of Iowa Infantry Volunteers, in lieu of the pension she now receives.

The report (by Mr. SPOONER) was read, as follows:

Mrs. Arabella Coddington is the widow of Eli H. Coddington, who was a sergeant of Company F, Fourteenth Regiment Iowa Volunteers, and also a captain of Company H, Forty-fifth Regiment Iowa Volunteers, which latter rank he held at the time of his final discharge.

The soldier lost his left arm from a gunshot wound received in action at Fort Donelson, Tennessee, February 13, 1862, he then being a sergeant, and was discharged for disability August 15, 1862. He was subsequently mustered into service as captain of Company H, Forty-fifth Iowa Volunteers, and served until September 16, 1864, when he was mustered out with his company.

He was pensioned for loss of his arm and its results, first at \$3 per month, and subsequently, by reason of increasing disability, etc., at \$15, then at \$18, and finally at \$24 per month, which last-named rate of pension he was receiving at the time of his death.

He died July 30, 1877, of consumption. After his death his widow was pensioned at the rate of \$3 per month, on the ground that the loss of arm of the soldier (which was assumed as the origin of the cause of soldier's death) occurred when the soldier was a sergeant.

The medical evidence on file, which is very full and particular, shows that the soldier suffered, after said wound, and while in hospital from chronic diarrhea, which reduced him to a mere skeleton and very nearly caused his death; and that after his final discharge his general health was badly shattered and his system greatly debilitated as the result of said wound and his army service, incapacitating him for physical and largely for mental labor, and finally resulting in consumption, of which he died.

Although the loss of his arm appears to have been the chief primary cause of said increasing disabilities and their result, your committee are inclined to concede something as a co-operating cause as the result of service of the soldier while a captain, not only in recognition of the patriotism which induced a man so grievously mutilated to again enter the military service, but also for the, perhaps, more practical reason that they are led to believe, in view of the medical history of his case, that said latter service must have aggravated, and prob-

ably created, some of the disabilities which eventually terminated in the soldier's death.

An additional reason exists which renders the widow's claim for increase peculiarly meritorious. Prior to her marriage with the soldier she was a hospital nurse, served faithfully as such, was exposed to and contracted a contagious disease (measles), with which she was seriously and dangerously sick, from which and its results her health was so seriously and permanently impaired that she is a suffering invalid at the present time, and largely disabled from doing any labor for her own support.

Your committee recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. BAKER, of New York. I renew my request for the consideration of this bill for the benefit of the old lady whose case I have already mentioned.

Mr. BLAND. Let us have the regular order.

The CHAIRMAN. The Clerk will report the next bill.

HENRY STAFFORD.

The next business on the Calendar was the bill (S. 679) granting a pension to Henry Stafford.

Mr. SPOONER. I ask that this bill be considered.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Henry Stafford, late a member of Company K, Seventh Regiment of Iowa Veteran Volunteer Infantry.

The report (by Mr. SPOONER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 679) granting a pension to Henry Stafford, respectfully report:

That they adopt the accompanying Senate report as their own, and recommend the passage of the bill.

[Senate Report No. 135, Fiftieth Congress, first session.]

"The Committee on Pensions, to whom was referred the bill (S. 679) granting a pension to Henry Stafford, have examined the same, and report:

"Henry Stafford, of Company K, Seventh Regiment Iowa Veteran Volunteer Infantry, made claim for a pension, which was rejected by the Pension Bureau March 5, 1886. This action was affirmed by the First Assistant Secretary of the Interior July 28, 1887. The ground of rejection was the absence of any record of the alleged rheumatism and disease of the lungs, no testimony showing treatment therefor while claimant was in the military service, and no medical evidence showing such treatment prior to 1872. The Commissioner of Pensions states in his letter transmitting the papers to the chairman of this committee that 'the disabilities being classed as obscure, the testimony of laymen can not be accepted to show the facts.' This statement also appears in the opinion of the First Assistant Secretary of the Interior.

"The claim is based on allegations that, during the Atlanta campaign, the soldier contracted disease of the lungs and chronic rheumatism.

"This re-enlisted veteran has no hospital record, and, in the light of the testimony, it is to his credit that he has not.

"Dr. Thomas S. Mealey deposes that he was his family physician before the war; that he never gave him any medicine (referring, evidently, to the period before the war); and that before going into his regiment claimant was in good health.

"James Montgomery, a private in the same company, deposes that at the time of enlistment claimant was 'a strong, able-bodied man, free from disease, and had no symptoms of rheumatism or lung disease;' that at Dallas and Big Shanty, Ga., he was exposed, while marching and on guard duty, to rain; that he contracted something like cramps while in camp, and from that time on had rheumatism, sometimes in one part of his body and sometimes in another, and had also sharp pains in his lungs and difficult breathing; that when he took cold he suffered very much; that these spells continued until he was discharged, and since, up to the present time; and that claimant is totally unfit for hard labor. The grounds of this affidavit are stated to be the personal knowledge of the deponent.

"James W. Campbell, a comrade, deposes to the same effect.

"Timothy Spencer, the captain of claimant's company, deposes that claimant was a well man before he enlisted; that during June, 1864, near Big Shanty, Ga., he contracted, from exposure, lung disease and rheumatism, from which he never fully recovered. 'Being very ambitious, he remained with the company until the close of the war, and did duty at times, but was very much broken in health. He was an excellent soldier.' Deponent knows these facts from 'being personally present with the command.' Asked for another statement, Captain Spencer writes to the Commissioner February 19, 1883, that Stafford, 'while marching and fighting day and night, through rain and mud, in the Atlanta campaign in Georgia, took sick with a cough, and complained of a lameness in the shoulders, and for a great part of the time was unfit for duty, and was very much changed in appearance.'

"Michael Craft deposes that he has known claimant since 1865, and that ever since then he has been afflicted with rheumatism so badly as to lay him up for days and weeks at a time, and unfit him for doing any manual labor; has frequently heard claimant complain of pain in his heart and weakness of lungs; and has been a near neighbor of claimant for eighteen years.

"To the same effect is the affidavit of James H. Frosher, who has known claimant ever since he came from the war in 1865, and has frequently worked for him, claimant being a farmer.

"Dr. R. J. Jay has treated claimant at different times since 1875 until 1882, for lung troubles and rheumatism. Claimant's condition has been such ever since deponent has known him (1875) as to render him unable to labor, at least half the time.

"Dr. Mealey deposes, in addition to his former testimony, that he first visited claimant September 19, 1872, and treated him then for chronic rheumatism.

"The claimant was examined by a board of examining surgeons in 1882, who report their opinion that his disability originated in the service and in the line of duty, and that he is not incapacitated for obtaining his subsistence by manual labor. The disability is rheumatism; can discover no lung trouble. He was examined again January 7, 1885, two of the examining surgeons being of the board which examined him in 1882. As to lung disease the report is adverse, but it states that 'his cough is caused by the disease of his throat.' The report also states that there is a difference in the two sides of his body, resulting from the effects of rheumatism on the muscles. His right shoulder is lower than the left. The right scapula is uncommonly prominent.

"The muscles of the right side of his chest and right arm are soft and flabby. Raising the right arm causes pain. We find tender points as follows: To the right of the fourth and sixth dorsal vertebrae, in the right fifth intercostal space,

in the right side, in axilla. The report concludes: 'From the existing condition and the history of this claimant, as stated by himself, it is in our judgment probable that the disability was received in the service, as he claims, and that it has not been aggravated or prolonged by vicious habits. He is in our opinion entitled to a one-half total rating for the disability caused by disease of his throat; total (?) for that caused by rheumatism, the sum of which aggregates 2 1/2 third grade.'

"The claimant applied by letter, in 1884 and 1885, to Messrs. Ashton and Morgan, who, your committee infer, were the surgeons of his regiments, for evidence, but they answered that they had no records and no recollection on the subject of his disability. Want of recollection by a surgeon of an individual case, in such a campaign as that of Atlanta, is not surprising. Exact recollections, unassisted by records, would, after the lapse of twenty years, be suspicious. Besides, as Captain Spencer's testimony shows, this man did not seek medical aid, but, on the contrary, being an 'excellent soldier,' and very 'ambitious, remained with the company until the close of the war.'

"As to the objection that claimant did not call a doctor until 1872, he explains this by saying that he took domestic remedies and patent medicines. This is what the majority of men living on a farm in the country do. The mere fact that he did not call a physician until 1872 weighs nothing against the mass of uncontradicted testimony by which this faithful soldier has sustained his claim. The diseases which afflict him may be 'obscure,' according to medical classification, but the evidence in this case is plain to common sense, even if it is that of 'laymen,' and it would establish claimant's case in any court in Christendom."

"The passage of the bill is recommended."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. BAKER, of New York. I understand the gentleman from Missouri [Mr. BLAND] withdraws his objection to the consideration of my bill.

Mr. MORRILL. I move that the committee rise.

Mr. BAKER, of New York. Before that is done, I hope my friend from Kansas will allow this bill to be considered.

Mr. MORRILL. Let us pass in the House the bills already acted on in the Committee of the Whole; and afterward, if there should be time, the gentleman can obtain unanimous consent for the consideration of his bill.

The motion of Mr. MORRILL, that the committee rise, was agreed to.

The committee accordingly rose; and the Speaker *pro tempore* having resumed the chair, Mr. DOCKERY reported that the Committee of the Whole, having had under consideration pension bills on the Private Calendar, had directed him to report sundry bills with various recommendations.

Mr. RANDALL. Mr. Speaker, is any action of the House required now in relation to the bill for the relief of Mrs. Ricketts?

The SPEAKER *pro tempore*. That bill will come up in regular order. It is among those reported from the Committee of the Whole House with amendments. The bills reported without amendments will be first taken up.

BILLS PASSED WITHOUT AMENDMENTS.

Bills of the following titles, reported without amendment, were severally ordered to be engrossed and read a third time; and being engrossed, were accordingly read the third time, and passed, namely:

- A bill (H. R. 4845) granting a pension to Wilhelmina Kuhlmann;
- A bill (H. R. 88) granting a pension to Sally A. Randall;
- A bill (H. R. 5237) granting a pension to Noah S. Cramer;
- A bill (H. R. 8211) to pension Lafayette Lakin;
- A bill (H. R. 5234) granting a pension to Cyrenius G. Stryker;
- A bill (H. R. 7181) granting a pension to Aletta V. Quick;
- A bill (H. R. 2167) for the relief of George E. Oliphant;
- A bill (H. R. 130) granting a pension to John E. Smith;
- A bill (H. R. 431) granting a pension to Hannah Varquison;
- A bill (H. H. 5847) granting a pension to Elizabeth Twigg; and
- A bill (H. R. 955) granting a pension to Mary M. Sweet.

BILLS PASSED WITH AMENDMENTS.

Amendments reported to bills of the following titles were severally agreed to, and the bills as amended were ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time, and passed:

- A bill (H. R. 5522) for the relief of Elijah Martin;
- A bill (H. R. 4519) granting a pension to William J. Miller;
- A bill (H. R. 7574) granting a pension to Frank Lewis; and
- A bill (H. R. 5249) granting an increase of pension to Charles H. Smith.

ADVERSE REPORT.

The bill (H. R. 8117) granting a pension to Mrs. Juliet G. Howe, reported adversely, was laid on the table.

SENATE BILLS PASSED WITHOUT AMENDMENTS.

Senate bills of the following titles, reported without amendment, were severally ordered to a third reading, and were accordingly read the third time, and passed, namely:

- A bill (S. 173) granting a pension to Henry B. Very;
- A bill (S. 293) granting a pension to Mrs. Arabella Coddington; and
- A bill (S. 679) granting a pension to Henry Stafford.

SENATE BILLS PASSED WITH AMENDMENTS.

Amendments to Senate bills of the following titles were severally agreed to; and the bills as amended were ordered to a third reading, and were accordingly read a third time, and passed, namely:

A bill (S. 752) granting a pension to Mrs. Elvira L. Johnson, widow of Commodore Philip C. Johnson; and

A bill (S. 306) granting a pension to Mrs. Juliet G. Howe.

FRANCES ANNE PYNE RICKETTS.

The SPEAKER *pro tempore*. A bill (S. 393) for the relief of Frances Anne Pyne Ricketts has been reported with the understanding that the bill shall go over until Monday next after the reading of the Journal. It is also understood that the amendment of the gentleman from Missouri [Mr. BLAND] and the amendments of the committee shall be considered as pending, and that the previous question shall apply to those amendments as well as to the passage of the bill. The understanding also goes to the extent of allowing fifteen minutes of debate on each side.

Mr. RANDALL. That is the understanding.

The SPEAKER *pro tempore*. The bill will go over under that agreement.

Mr. MORRILL moved to reconsider the several votes; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

SIDNEY W. WHITELOCK.

Mr. MACDONALD. I ask unanimous consent to discharge the Private Calendar from the further consideration of the bill (H. R. 7490) for the relief of Sidney W. Whitelock, and put it upon its passage.

The SPEAKER *pro tempore*. The bill will be read, subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place on the pension-roll the name of Sidney W. Whitelock, late a private in Company K, Eleventh Regiment Missouri State Militia Cavalry, subject to the provisions and limitations of the pension laws.

Mr. MORRILL. I ask unanimous consent to dispense with the reading of the report in this case. This is one of the strongest cases I have examined, and I have looked into every paper in connection with it. I know it is a good case.

There being no objection, the reading of the report was dispensed with, and it was ordered to be printed in the RECORD.

The report (by Mr. MORRILL) is as follows:

This soldier enlisted February 21, 1862, and was discharged April 20, 1865. October 20, 1879, he filed an application for pension, alleging sciatica and spinal disease contracted from exposure. The case was rejected on the ground that there was no record, and that the evidence filed failed to establish origin in the service.

Abundant evidence is offered to show the soundness of the soldier at enlistment, but your committee feel that this is unnecessary, as the long service of the soldier ought to be sufficient to establish that fact.

Benjamin F. Snyder, first lieutenant of claimant's company, testifies that from exposure claimant contracted disease of the liver, and in consequence of the same he was sent to the hospital and received treatment for a long time before he was able to join his regiment; that he testifies from personal knowledge, being present when claimant contracted the disability.

Samuel Boyer and W. T. Whitlock, privates in the same regiment, testify that claimant contracted disease of the liver, which terminated in spinal complaint and sciatica, while in the service, as the result of exposure.

Dr. J. Benjamin testifies that he was claimant's family physician from 1865 to 1872, and from time to time during that period he treated him for chronic rheumatism, and that during the time he was not able to perform any labor nearly one-half the time.

Dr. A. Barber testifies, February 14, 1882, that he has been practicing medicine about twenty years; has known claimant since June, 1865, and since then up to the present time; that he treated claimant for disease of the spine and chronic rheumatism; that the disability should be rated at one-half.

Dr. T. Wakefield testifies, February 14, 1882, that he has been practicing medicine for eleven years; has known claimant for about ten years; that claimant took medicine from him for a few months in 1875; that he treated him at that time for a diseased condition of the spinal nerves, complicated by chronic rheumatism; that he should be rated at one-half.

W. D. Tucker testifies that claimant has been more or less unfit for manual labor since discharge, by reason of rheumatism and other diseases.

Charles K. Goodnow testifies that he has been intimately acquainted with claimant since 1866 and has seen him on an average once or twice every week during each year. Since they have known him they have seen him only able to go around on crutches, and from seeing him and speaking with him they are satisfied that he is diseased and has been ever since they first knew him.

Fred. W. Sumner testifies to an acquaintance since 1867, and has seen claimant on an average once a week during that time. He has been incapacitated from the performance of manual labor at least one-fourth the time.

The examining surgeon at Litchfield, Minn., October 15, 1881, rates him at one-half, incapacitated from obtaining a subsistence by manual labor, and adds that the disability is probably permanent.

All of the witnesses are vouched for as being men of high character. It seems to your committee that this is an unusually strong case, as the incurrence of the disability in the service, its existence at time of discharge, and continuance since have been established. They therefore recommend the passage of the bill.

There being no objection, the bill was considered and ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. MACDONALD moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

NANCY VAN DYNE.

Mr. BAKER, of New York. Mr. Speaker, I ask unanimous consent to discharge the Private Calendar from the further consideration of the bill (H. R. 7094) granting a pension to Nancy Van Dyne, and put it upon its passage.

The SPEAKER *pro tempore*. The bill will be read subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Nancy Van Dyne, mother of James B. Van Dyne, who was a private in Company B, Thirty-third New York Volunteers, and late orderly sergeant in Company I, First Regiment New York Veteran Cavalry, and pay her at the rate of \$12 per month.

The report (by Mr. SAWYER) was read, as follows:

Nancy Van Dyne, of Palmyra, N. Y., aged sixty-seven years, is the mother of James B. Van Dyne, late a private in the First Veteran Cavalry Volunteers of New York, in which he enlisted in August, 1863, after having served from October, 1861, in the Thirty-third Regiment New York Volunteers. This mother gave to the Union Army two other sons, namely, Charles H. Van Dyne, who was a member of the One hundred and sixtieth New York Volunteers in 1862, and Peter H. Van Dyne, who entered the United States Navy in 1864. The former died in January, 1873, and the latter is a resident of Chicago, Ill., an invalid, unable to labor, has no means, and is unable to help his mother.

Nancy Van Dyne is the daughter of Seneca Page, who enlisted in the Ninth or Eighth Regiment of New York Heavy Artillery, at Auburn, N. Y., in November, 1863, and who was probably killed in battle, and so far as we can know fills an unknown grave, for he was never heard from after the month of December, 1863.

The son James, subsequent to his enlistment in the First Veteran Cavalry, and prior to proceeding to the front with his regiment, married, but there were no children born of said marriage. He was in the battle of Cedar Creek, taken prisoner and confined in Confederate prisons at Lynchburgh, Danville, and Salisbury. In the winter of 1865 he was paroled at Wilmington, N. C.; from there sent to Annapolis, Md., which place he reached March 7, 1865, weak and emaciated owing to lack of food, and at that place the mother met him and remained with him until March 26, 1865, when he died.

Shortly after the death of James his widow married one Charles E. Wilbur. This was in July, 1865 or 1866. With her Wilbur lived about three years, and then procured a divorce on the ground of the woman's unfaithfulness. At the time of the divorce the parties resided in Palmyra, and shortly thereafter the unfaithful wife left for parts unknown, and her whereabouts have ever since been and are now unknown.

The mother, Nancy Van Dyne, is in destitute circumstances, dependent upon charity for her support.

It appears that the widow of James B. Van Dyne received a pension as such up to July 3, 1866, which seems from the report from the Pension Bureau to be the date on which she married.

The mother made application for a pension as the mother of James, but the same was rejected for the reasons stated.

The claim of this mother is, in the opinion of your committee, entirely meritorious.

Your committee report the bill favorably, and recommend its passage with an amendment striking out after the word "Cavalry," in line 8, and inserting in place thereof the words "subject to the provisions and limitations of the pension laws."

There being no objection, the bill was considered and the amendment agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. BAKER, of New York, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

And then (the hour of 10 o'clock and 30 minutes p. m. having arrived) the Speaker *pro tempore* declared the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. E. P. ALLEN: A bill (H. R. 9584) to place the name of Nannie B. Hadley on the pension-roll—to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 9585) for the relief of Thomas J. Powell—to the Committee on War Claims.

By Mr. FULLER: A bill (H. R. 9586) to amend the military record of Samuel S. Troy—to the Committee on Military Affairs.

By Mr. GALLINGER: A bill (H. R. 9587) granting a pension to Louise F. D. Hoit—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 9588) authorizing the Secretary of the Interior to place on the pension-rolls the name of James Freeman—to the Committee on Invalid Pensions.

By Mr. T. D. JOHNSTON: A bill (H. R. 9589) for the relief of Lucinda Simonds, widow and legal representative of J. R. Simonds, deceased—to the Committee on War Claims.

By Mr. MASON: A bill (H. R. 9590) for the relief of Mrs. Susan Scofield—to the Committee on Invalid Pensions.

By Mr. PIDCOCK: A bill (H. R. 9591) granting a pension to Peter V. Weaver—to the Committee on Invalid Pensions.

By Mr. SAWYER: A bill (H. R. 9592) for the relief of Adoniram J. Rose—to the Committee on Military Affairs.

By Mr. SIMMONS: A bill (H. R. 9593) for the relief of the heirs of H. Barrus—to the Committee on War Claims.

Also, a bill (H. R. 9594) for relief of Fred Jones, of Lenoir County, North Carolina—to the Committee on Claims.

By Mr. SPOONER: A bill (H. R. 9595) granting a pension to David A. Yeaw—to the Committee on Invalid Pensions.

By Mr. STRUBLE: A bill (H. R. 9596) granting an increase of pension to Peter Cress—to the Committee on Invalid Pensions.

By Mr. VANCE: A bill (H. R. 9597) for the relief of Edward Pearl—to the Committee on Military Affairs.

By Mr. BINGHAM: A bill (H. R. 9598) granting a pension to Margaret S. Heintzelman—to the Committee on Invalid Pensions.

By Mr. T. L. THOMPSON: A bill (H. R. 9599) granting a pension to Patrick Farrell—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. E. P. ALLEN: Petition of Litchfield Grange, of Hillsdale County, Michigan, for the enactment of laws that will protect purchasers of patented articles—to the Committee on Patents.

By Mr. C. R. BRECKINRIDGE: Petition of Daniel Hammon, of Prairie County, and of John C. Clements, administrator of Samuel Clements, of Prairie County, Arkansas, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. W. C. P. BRECKINRIDGE: Petition of the Board of Trade of Frankfort, Ky., against the passage of House bill 4923—to the Committee on Expenditures in the War Department.

By Mr. CANNON: Petition of O. P. Frick, for relief of acting assistant surgeons United States Army—to the Committee on Military Affairs.

By Mr. COBB: Petition of Mrs. F. W. Brown, widow of John U. Brown, of Macon County, Alabama, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. COTHRAN (by request): Petition of citizens of Liberty, S. C., against the passage of bill to restrict the use of cotton-seed oil or beef fat in the composition of lard—to the Committee on Agriculture.

By Mr. FORNEY: Petition of Elizabeth C. Hill, of Saylesville, Cherokee County, Alabama, for reference of her claim to the Court of Claims—to the Committee on War Claims.

Also, petition of W. A. McMillan, of John McAnnally, of R. B. Simms, of T. L. Weaver, of Samuel C. Ward, of J. R. Wimberg, of L. M. Turner, of J. R. Baxter, of W. T. Ewing, of E. C. Lusk, of John C. Slack, of J. A. Elliott, of Thomas Thompson, of Samuel S. Holbrook, of Thomas Childers, of Abbie R. Wiggs, and of James Lawson, late postmasters, of Alabama, for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. GIFFORD: Petition of G. W. Gilbert and 33 others, of Parker, of S. B. Howe and 95 others, of Valley Springs, of D. S. Waldo and 105 others, of Lincoln County, and of Nelson H. Twogood and 25 others, of Fulton, Dak., for the retention of the present tariff on flax and flax products—to the Committee on Ways and Means.

By Mr. JACKSON: Additional testimony to accompany bill for the relief of George Harkins—to the Committee on Military Affairs.

By Mr. LAGAN: Petition of M. Haulihan and others, for back pay under the eight-hour law—to the Committee on Labor.

By Mr. LEE: Petition of L. B. Wheeler, for payment of his war claim—to the Committee on War Claims.

By Mr. MILLS: Petition of citizens of Washington County, Texas, against branding or taxing refined lard, etc.—to the Committee on Agriculture.

By Mr. OSBORNE: Petition of Hon. Charles A. Miner and 30 others, citizens of Wilkes Barre, Pa., for reduction of letter postage—to the Committee on the Post-Office and Post-Roads.

By Mr. PHELAN: Petition of John R. Greer, administrator of David S. Greer, of Shelby County, and of Eliza B. Pugh, widow of James F. Pugh, of Hardeman County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. RANDALL: Petition of George Fletcher and others, to repeal that portion of the internal-revenue laws which class druggists as liquor dealers—to the Committee on Ways and Means.

Also, memorial of the Board of Trade of Philadelphia, Pa., to abolish all direct taxes levied on the people of the United States—to the Committee on Ways and Means.

By Mr. RICHARDSON: Petition of Sarah G. Collins, and of William L. Collins, of Franklin County, and of Thomas Bailey, of Lincoln County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. ROGERS: Petition of Louisa B. Worthen, of Pulaski County, Arkansas, for reference of her war claim to the Court of Claims—to the Committee on War Claims.

By Mr. J. E. RUSSELL: Petition from the Texas Woolen Mills, of Oxford, and of citizens of Holden, Mass., to secure pure lard—to the Committee on Agriculture.

By Mr. SIMMONS: Petition of citizens of Eastern North Carolina, asking Congress to authorize the purchase by the Government of the New Berne and Beaufort Canal—to the Committee on Railways and Canals.

By Mr. SOWDEN: Petition of Dr. R. J. Linderman and others, of the Tenth district of Pennsylvania, for repeal of all special internal-revenue licenses for druggists—to the Committee on Ways and Means.

By Mr. TOWNSHEND: Petition of Lewis F. Carey and of Samuel L. M. Proctor, for relief—to the Committee on Pensions.

Also, papers to accompany bills for the relief of Sarah Allen and of John Pendergrast—to the Committee on Invalid Pensions.

Also, petitions to grant pensions to Elizabeth Wilson and to Mary M. Shipley—to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of Thomas Harrington—to the Committee on War Claims.

Also, petition and papers to accompany bill for relief of James A. McFarland—to the Committee on Military Affairs.

Also, petition of James M. Garvin, for an invalid pension—to the Committee on Invalid Pensions.

Also, paper in the claim of William Aud—to the Committee on Invalid Pensions.

Also, petition of W. B. Fleming, for a pension—to the Committee on Invalid Pensions.

Also, petition of Edmund Drake, for payment of his war claim—to the Committee on War Claims.

By Mr. TRACEY: Petition of the Cigar Makers' Union, of Albany, N. Y., against the repeal of the internal-revenue tax on cigars—to the Committee on Ways and Means.

By Mr. VANCE: Petition of Edward Pearl, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. WILKINSON: Papers in the case of R. H. Crider, for relief—to the Committee on War Claims.

By Mr. YOST: Petition of J. T. McCrum & Son and others, of Lexington, Va., for repeal of that portion of the internal-revenue law imposing a license on druggists—to the Committee on Ways and Means.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. BURROWS: Of citizens of Grand Rapids, Mich.

By Mr. FORAN: Of 40 citizens of Garrettsville, Ohio.

By Mr. GROUT: Of C. H. Kottion and 28 others, citizens of Vermont.

By Mr. HUDD: Of T. A. Thorp and others, of Wisconsin.

By Mr. LONG: Of G. F. Pinkham and 16 others, citizens of Wollaston, Mass.

By Mr. PARKER: Of C. E. Rees and others, citizens of Clayton, N. Y.

By Mr. STONE, of Kentucky: Of citizens of Calloway County, and of the Princeton Gun Club, of Princeton, Ky.

By Mr. SYMES: Of citizens of Denver, Colo.

By Mr. WILKINS: Petition of J. F. Meek and 50 others, citizens of Coshocton, Ohio.

The following petitions for the more effectual protection of agriculture, by means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. GALLINGER: Of B. F. Martin and 19 others, of Bennington, and of Charles F. Porter and 37 others, of Oxford, N. H.

By Mr. GROUT: Of citizens of Andover, Vt.

By Mr. GUENTHER: Of farmers of Fond du Lac County, Wisconsin.

By Mr. KETCHAM: Of D. A. Knapp and 19 others, of North Clove, N. Y.

The following petition, praying for the enactment of a law to establish a system of telegraphy, to be owned and controlled by the Government of the United States, and operated in connection with the Post-Office Department, was referred to the Committee on the Post-Office and Post-Roads:

By Mr. PERRY: Of numerous citizens of South Carolina.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. BURROWS: Of members of Frank Graves Post, No. 64, Grand Army of the Republic, of Michigan.

By Mr. CHEADLE: Of ex-Union soldiers and sailors of Cicero, Hamilton County, Indiana.

By Mr. CUMMINGS: Of ex-soldiers and sailors of the Sixth district of New York.

By Mr. J. H. O'NEALL: Of ex-Union soldiers, sailors, and citizens of Shoals, Huron, Martin, and Lawrence Counties, Indiana.

By Mr. SHIVELY: Of Post No. 429, Grand Army of the Republic, of Mentone, Ind.

The following petitions for an increase of compensation of fourth-class postmasters were referred to the Committee on the Post-Office and Post-Roads:

By Mr. BARNES: Of citizens of Hephzibah, Richmond County, Georgia.

By Mr. T. J. HENDERSON: Of William Taylor, jr., and 33 others, citizens of Whiteside County, Illinois.

The following petitions, praying for the enactment of a law provid-

ing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. HITT: Of 132 citizens of Ogle County, Illinois.

By Mr. PERRY: Of 87 citizens of Greenville County, South Carolina.

By Mr. VANCE: Of 123 citizens of Hartford County, Connecticut.

By Mr. WILKINS: Of 57 citizens of Licking County, and of 92 citizens of Muskingum County, Ohio.

HOUSE OF REPRESENTATIVES.

SATURDAY, April 21, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

Mr. HOLMAN. I ask unanimous consent to dispense with the reading of so much of the Journal as relates to the introduction of reports of committees.

There was no objection.

The remainder of the Journal was read and approved.

ADMISSION OF SOUTH DAKOTA.

The SPEAKER laid before the House the bill (S. 185) to provide for the admission of the State of South Dakota into the Union, and for the organization of the Territory of North Dakota; which was read a first and second time, and referred to the Committee on the Territories.

Mr. GIFFORD. Mr. Speaker, precisely a similar bill has been reported from the Committee on the Territories, and I ask unanimous consent that it be considered on Monday next.

Mr. RANDALL. What time on Monday?

Mr. McMILLIN. I object.

Mr. SPRINGER. Let it take its usual course.

Mr. GIFFORD. I did not suppose any gentleman on that side would object. [Laughter.]

CHARLOTTE HARBOR, FLORIDA.

The SPEAKER also laid before the House the bill (S. 1431) making an appropriation for the establishment of a light or lights and other aids to navigation to guide into Charlotte Harbor, Florida.

Mr. DAVIDSON, of Florida. Mr. Speaker, a bill similar to this has been considered by the House Committee on Commerce, and I ask unanimous consent that the bill be taken up and considered now.

The SPEAKER. The bill will be read, subject to the right of objection.

The Senate bill was read, as follows:

Be it enacted, etc., That the sum of \$35,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the establishment of a light or lights and other aids to navigation to guide into Charlotte Harbor, Florida, the said amount to be expended under the direction of the Secretary of the Treasury.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DAVIDSON, of Florida. I now move to amend by striking out all of the Senate bill after the enacting clause and inserting the House bill as recommended by the Committee on Commerce.

The amendment was read, as follows:

That a light, or lights, and other aids to navigation to guide into Charlotte Harbor, Florida, be established at a cost not to exceed \$35,000.

Mr. SPRINGER. Let the original bill be read.

The SPEAKER. The original bill provided an appropriation of money.

Mr. DAVIDSON, of Florida. And this amendment provides only for the establishment of the lights or guides to navigation.

Mr. SPRINGER. All right.

The amendment was agreed to.

The bill as amended was ordered to a third reading, and being read the third time was passed.

Mr. DAVIDSON, of Florida, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The bill (H. R. 7033) was ordered to be laid on the table.

EMORY R. SEWARD.

The SPEAKER announced as the managers on the part of the House on the disagreeing votes of the two Houses on the bill (H. R. 7319) for the relief of Emory R. Seward, Mr. CAMPBELL, of Ohio, Mr. SIMMONS, of North Carolina, and Mr. KERR, of Iowa.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. PENINGTON, indefinitely, on account of important business.

To Mr. CUTCHEON, for five days, on account of an important business engagement.

To Mr. BUTLER, on account of important business, from Saturday, the 21st, to Wednesday, the 25th instant.